

Mendota Passing Lanes

On Route 180, in Fresno County between
Yuba Avenue and Lake Avenue

06-FRE-180-PM 36.2/38.7

06-463800/0612000080

SCH # 2014021030

Initial Study with Negative Declaration



Prepared by the
State of California Department of Transportation

April 2015



General Information About This Document

What's in this document?

This document contains a final Initial Study with Negative Declaration that describes the project, the existing environment that could be affected by the project, potential impacts from the project, and proposed avoidance, minimization, and/or mitigation measures.

The draft Initial Study with proposed Negative Declaration was circulated to the public from February 18, 2014, to March 19, 2014. Comment letters were received on the draft document. Responses to the circulated document are shown in Appendix G, Comments and Responses, which has been added since the draft. Appendices D, E, F, H, I, and the list of technical studies bound separately have also been added since the draft. Elsewhere throughout this document, a line in the right margin indicates a change made since the draft document circulation.

What happens after this?

The proposed project has completed environmental compliance after the circulation of this document, and filing of the Notice of Determination with the Office of Planning and Research—State Clearinghouse. Once funding is appropriated, the California Department of Transportation can design, acquire right-of-way for, and build all or part of the project.

This document can also be accessed electronically at the following website:

<http://www.dot.ca.gov/dist6/environmental/envdocs/d6/>.

Printing this document: To save paper, this document has been set up for two-sided printing (to print the front and back of a page). Blank pages occur where needed throughout the document to maintain proper layout of the sections and appendices.

For individuals with sensory disabilities, this document is available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Caltrans, Attn: Attn: Michelle Ray, Senior Environmental Planner, Sierra Pacific Environmental Analysis Branch, 855 M Street, Suite 200, Fresno, CA 93721; (559) 445-5286, or use California Relay Service 1 (800) 735-2929 (TTY), 1 (800) 735-2929 (Voice), or 711.

On State Route 180 between Yuba and Lake Avenues, just west of the City of Kerman, in Fresno County

**INITIAL STUDY
with Negative Declaration**

Submitted Pursuant to: (State) Division 13, California Public Resources Code
(Federal) 42 USC 4332(2)(C)

THE STATE OF CALIFORNIA
Department of Transportation
and
Fresno County Transportation Authority

04/15/15

Date of Approval


Michelle Ray
Senior Environmental Planner
California Department of Transportation
CEQA Lead Agency

The following persons may be contacted for additional information concerning this document:

Michelle Ray, Senior Environmental Planner
California Department of Transportation
855 M Street, Suite 200
Fresno, CA 93721
(559) 445-5286



Project Description and Background

Project title:	Mendota Passing Lanes
Lead Agency Name and Address:	California Department of Transportation 855 M Street, Suite 200 Fresno, CA 93721
Contact Person and Telephone Number:	Michelle Ray, (559) 445-5286
Project Location:	On State Route 180 between Yuba and Lake Avenues, just west of the city of Kerman, in Fresno County
Project Sponsor's Name and Address:	Fresno County Transportation Authority 2220 Tulare Street Fresno, CA 93721
General Plan Description:	Unincorporated/Agriculture
Zoning:	AE 20: Exclusive Agriculture
Description of Project:	The project will construct westbound and eastbound passing lanes on State Route 180 in Fresno County west of the city of Kerman from Yuba Avenue to Lake Avenue. The project extends 2.5 miles between post mile 36.2 and 38.7. The widening will occur on the north side (westbound), approximately 50 feet from the existing right-of-way line on State Route 180 and will require right-of-way acquisition from twelve parcels. Work consists of adding 12-foot passing lanes with a 14-foot paved median to accommodate a two way left-turn lane, a 14-foot wide left-turn channelization to North Yuba Avenue and to North Lake Avenue, and 8-foot-wide outside shoulders in both directions. Drainage culverts (18-inch diameter pipes) will be installed under driveways along the length of the project on the north side. The depth of excavation required for installation of the drainage culverts is estimated at 5 feet (1.5 meters) and 3 feet (1-meter) for roadway construction. The drainage culverts and a drainage ditch (swale) will be constructed on the north side parallel to the roadway to contain storm water runoff. The project will require relocation of existing utilities. The project study area includes all areas of proposed new right-of-way as well as areas identified for the storage of equipment during construction.
Surrounding Land Uses and Setting:	The project is surrounded by cultivated agricultural land and is lined with a few rural residential homes between Lake Avenue and Yuba Avenue.
Other Public Agencies Whose Approval is Required:	See Appendix I, Permits and Approvals.

Note: Pursuant to (State) Division 13, California Public Resources Code—This project documentation has been prepared in compliance with the California Environmental Quality Act (CEQA). A Categorical Exclusion will be signed for National Environmental Policy Act (NEPA) compliance at project approval.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

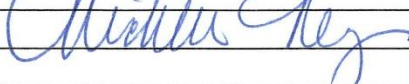
The environmental factors checked below would be potentially affected by this project. Please see the CEQA checklist for additional information. Any boxes *not* checked represent issues that were considered as part of the scoping and environmental analysis for the project, but for which no adverse impacts were identified; therefore, no further discussion of those issues is in this document.

<input type="checkbox"/>	Aesthetics	<input checked="" type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Paleontology	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems
<input type="checkbox"/>	Mandatory Findings of Significance				

DETERMINATION:

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project.

Signature: 	Date: 04/15/15
Printed Name: Michelle Ray	For:

Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

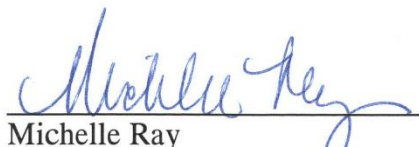
The California Department of Transportation (Caltrans) will construct westbound and eastbound passing lanes on State Route 180 in Fresno County west of the city of Kerman from Yuba Avenue to Lake Avenue between post miles 36.2 and 38.7. The widening will occur on the north side (westbound), approximately 50 feet from the existing right-of-way line on State Route 180 and will require right-of-way acquisition from twelve parcels. Work consists of adding 12-foot passing lanes with a 14-foot paved median to accommodate a two way left-turn lane, a 14-foot wide left-turn channelization to North Yuba Avenue and to North Lake Avenue, and 8-foot-wide outside shoulders in both directions. Drainage culverts (18-inch diameter pipes) will be installed under driveways along the length of the project on the north side. The project will require relocation of existing utilities.

Determination

The Department has prepared an Initial Study for this project, and following public review, has determined from this study that the proposed project would not have a significant effect on the environment for the following reasons:

The proposed project would have no effect on: forest resources, coastal zone, wild and scenic rivers, land use and planning, population and housing, public services, parks and recreational facilities, cultural resources, mineral resources, paleontology, air quality, noise, traffic and transportation, hydrology and water quality, geology and soils, and hazards and hazardous materials, and climate change.

In addition, the proposed project would have less than significant effects to agriculture resources and biological resources.



Michelle Ray
Senior Environmental Planner
District 6
California Department of Transportation

01/15/15
Date



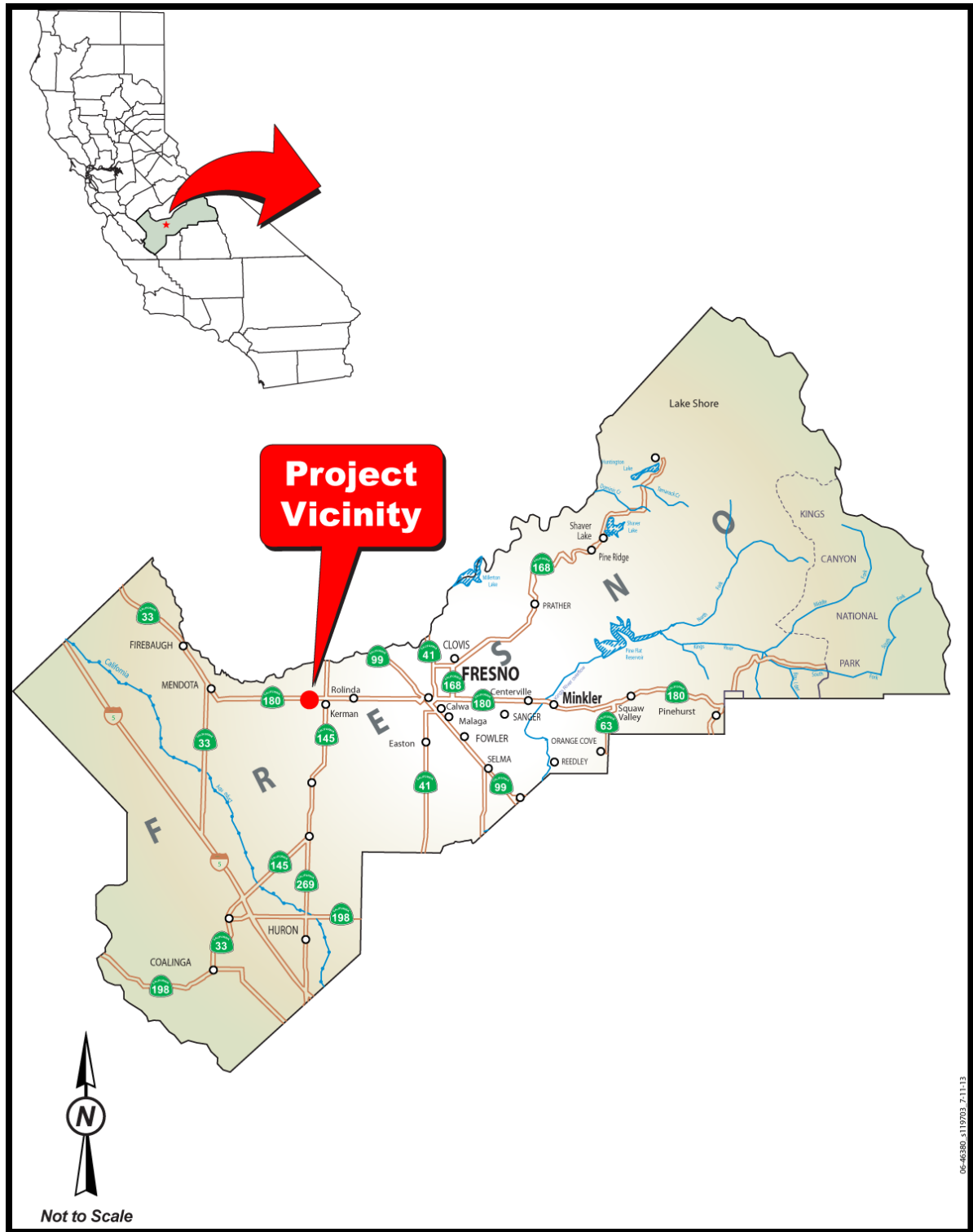


Figure 1 Project Vicinity Map



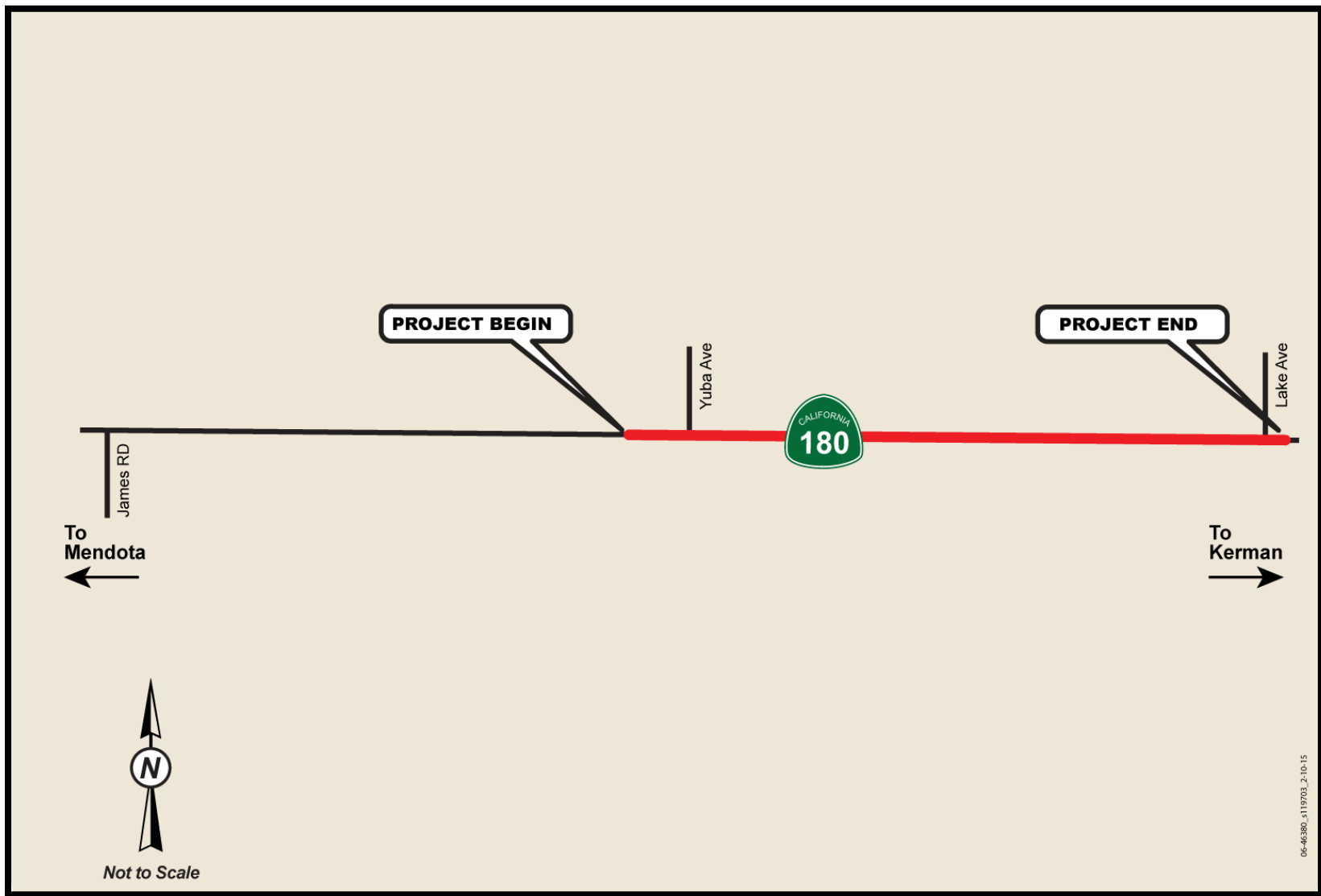


Figure 2 Project Location Map



CEQA Environmental Checklist

06-FRE-180

36.2/38.7

06-463800

Dist.-Co.-Rte.

P.M/P.M.

E.A.

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where a clarifying discussion is needed, the discussion either follows the applicable section in the checklist or is placed within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA—not NEPA—impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE AND FOREST RESOURCES:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>The project may convert up to 11.5 acres of Prime, Unique, and farmland of statewide and local importance. Please see Appendix A for the Farmland Conversion Impact Rating for Corridor Type Projects form.</i>				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see Appendix A for the Farmland Conversion Impact Rating for Corridor Type Projects form.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>A detailed discussion of this topic is in the Additional Explanations for Questions in the Impacts Checklist section.</i>				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Properties evaluated were determined to not be eligible for the National Register of Historic Places. Please see Appendix B for the State Historic Preservation Officer concurrence letter.</i>				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. GREENHOUSE GAS EMISSIONS: Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

If applicable, an assessment of the greenhouse gas emissions and climate change is included in the body of environmental document. While Caltrans has included this good faith effort in order to provide the public and decision-makers as much information as possible about the project, it is Caltrans determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project. Necessary information is located in Technical Studies Bound Separately.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. NOISE: Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. POPULATION AND HOUSING: Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. PUBLIC SERVICES:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. RECREATION:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Additional Explanations for Questions in the Impacts Checklist

IV. Biological Resources (checklist question a)

Threatened and Endangered Species

Affected Environment

The following discussion is based on the Natural Environment Study dated February 2014 and amended in March 2015. Federal, State of California and California Native Plant Society species lists are located in Appendix C. Caltrans' Federal Endangered Species Act determinations are listed in Appendix D.

The biological study area consists of a 2.5-mile segment along State Route 180 from Yuba Avenue to Lake Avenue. The landscape of the biological study area consists of mostly agricultural land, with a small amount of yearly disked fallow fields. Rural residential homes are also present with limited landscaped yards. Within the right-of-way, there are shallow man-made ditches that run parallel to the highway on the north and south sides. The ditch contains weeds and escaped cultivated plants from the agricultural fields. Figures 3a through 3e show an aerial view of the biological study area. The agricultural landscape includes alfalfa fields, cotton fields, almond orchards, and vineyards.

A database search for special-status species was conducted within five miles of the project within the Biola, Gravelly Ford, Jameson, and Kerman U.S. Geological Survey 7.5-minute quadrangles. The Natural Environmental Study identified 30 species that have the potential to occur or are known to occur in the biological study area. Of these species, three species—the San Joaquin kit fox (*Vulpes macrotis mutica*), Swainson's hawk (*Buteo Swainsoni*), vernal pool fairy shrimp (*Branchinecta lynchi*)—and/or their habitat may potentially be affected by the proposed project.

Caltrans initiated formal consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act of 1973 for the federally listed San Joaquin kit fox and vernal pool fairy shrimp in a letter dated March 11, 2014. Caltrans determined that 1.2 acres of potential habitat exists within the project impact area that would be removed due to the project. A "may affect, likely to adversely affect" determination was initially requested. However, following further discussion with the U.S. Fish and Wildlife Service, Caltrans changed its effect determination to "may affect, not likely to adversely affect." The U.S. Fish and Wildlife Service

provided concurrence on the effect determination in a letter to Caltrans dated November 6, 2014 (see Appendix E).



Figure 3a Biological Study Area Near Yuba Avenue

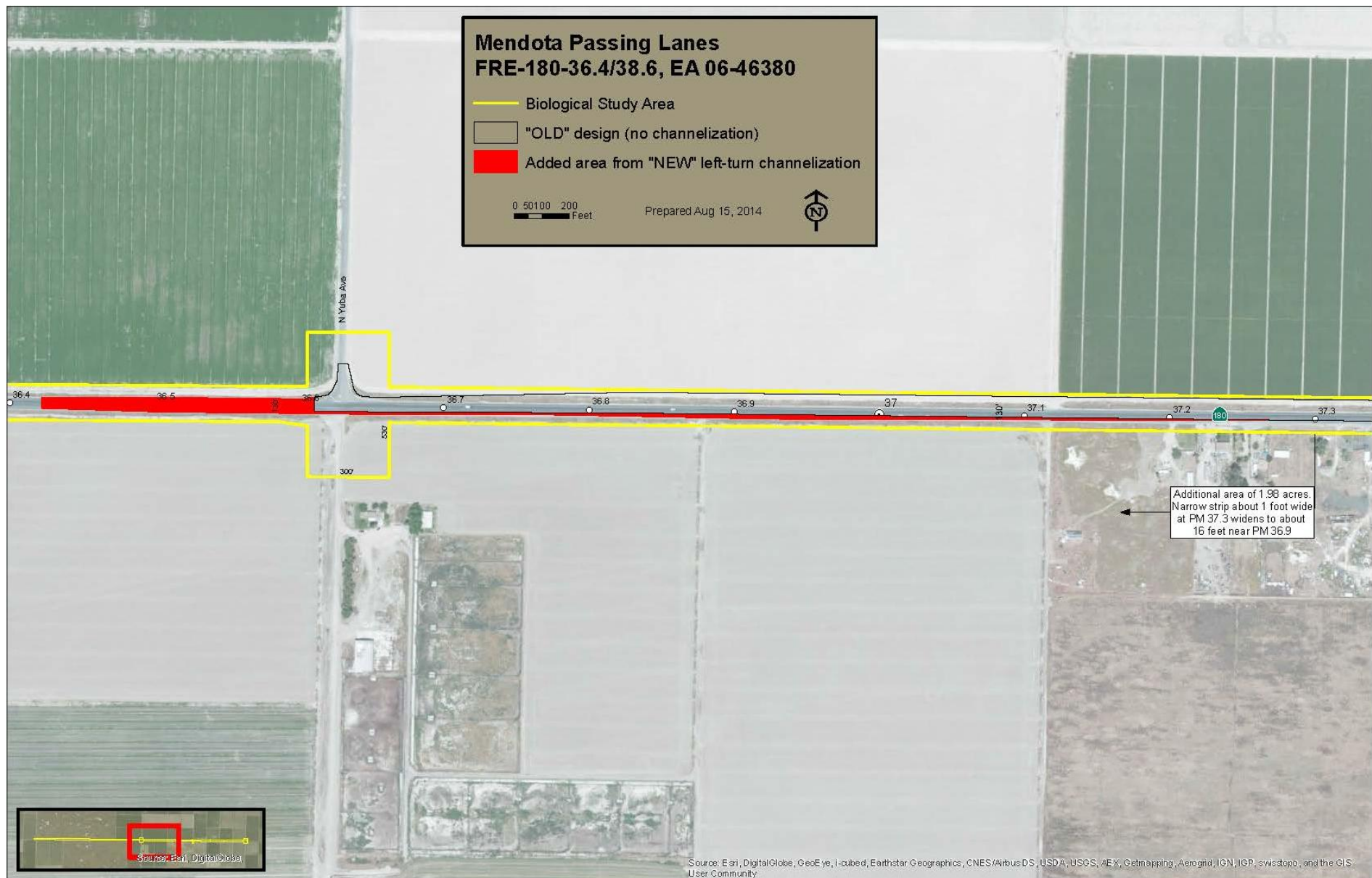


Figure 3b Biological Study Area Near Yuba Avenue



Figure 3c Biological Study Area Near Butte Avenue

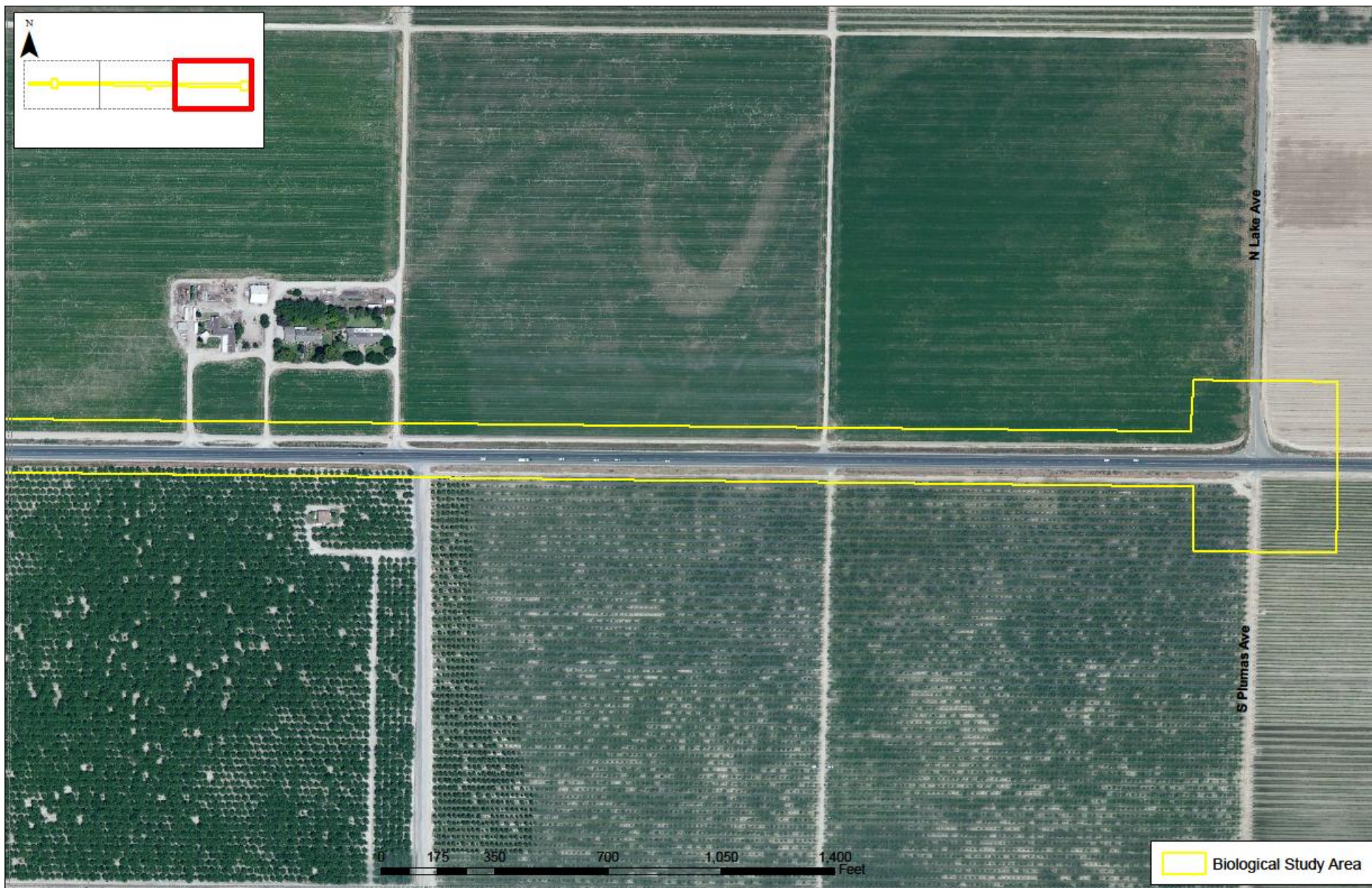


Figure 3d Biological Study Area Near Lake Avenue

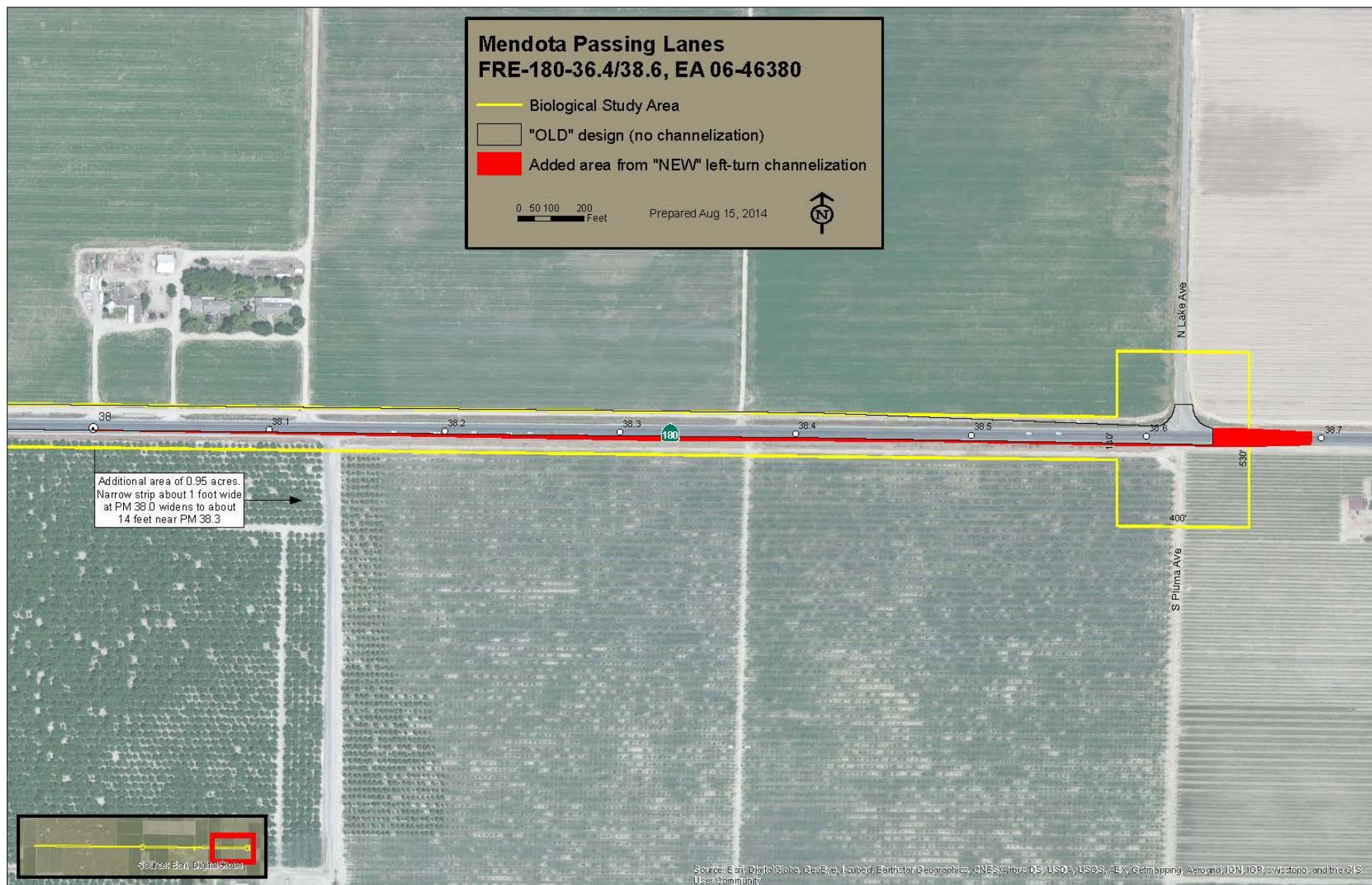


Figure 3e Biological Study Area Near Lake Avenue

The following discussion provides a summary of the breeding season, habitat requirements, and recorded occurrences of these special-status species.

San Joaquin Kit Fox (Vulpes macrotis mutica)

The San Joaquin kit fox is a federal endangered and state threatened species. The kit fox is the smallest fox in North America, with an average body length of 20 inches and weight of about 5 pounds. This fox has large ears that are set close together, a slim body, and a long, black-tipped, bushy tail that is carried low and straight. Its coat color ranges from a buff-tan in the summer to a silver-grey in the winter with undersides varying from light buff to white.

The historic range of the San Joaquin kit fox included most of the San Joaquin Valley from San Joaquin County southward to southern Kern County. Currently, the kit fox occurs in the remaining native valley and foothill grasslands and chenopod (saltbush) scrub communities of the valley floor and surrounding foothills from southern Kern County north to Merced County. Kit foxes use dens for protection, temperature regulation, and shelter from the weather. Kit foxes may dig their own dens, use those constructed by other animals, or use artificial structures (e.g., culverts, abandoned pipelines, or banks in sumps). Kit foxes often change dens, and many dens may be used throughout the year. Females are capable of breeding two or more times per year. Their young are born in the burrow.

San Joaquin kit foxes are active year-round and inhabit grassland, scrubland, oak woodland, alkali sink scrubland, and vernal pool and alkali meadow communities, but are also known to occur in extensively modified habitats such as oil fields and wind turbine facilities. Kit foxes are present, but generally less abundant, in other highly modified landscapes such as agricultural row crops, irrigated pastures, orchards, and vineyards.

The closest known San Joaquin kit fox occurrence is from 1975, 1.43 miles south of the biological study area. There were no observations of the kit fox or its sign (i.e., dens, scat, and tracks) during biological surveys. Based on the current level of disturbance within the biological study area (agricultural/residential activity), there is a low likelihood of kit fox den establishment. Although a suitable prey base (active small mammal burrows) exists within the agricultural fields and right-of-way within the biological study area, overall the project area is considered low-quality potential foraging habitat.

Swainson's Hawk (Buteo Swainsoni)

The Swainson's hawk is a state threatened species. It is a summer migrant in the Central Valley that breeds in riparian and oak savannah habitat, and forages in adjacent grasslands or suitable grain or alfalfa fields, or livestock pastures. The Swainson's hawk preys on mice, gophers, ground squirrels, rabbits, large arthropods, amphibians, reptiles, birds, and sometimes fish. It soars at various heights in search of prey, catching insects and bats in flight. It may also walk on the ground to catch invertebrates and other prey. The hawk roosts in large trees, but will roost on the ground if no trees are available.

Breeding occurs from late March to late August, with peak activity occurring in late May. Nests are composed of a platform of sticks, bark, and fresh leaves built in a tree or bush, or on a utility pole from 4–100 feet above ground. Nests occur in open riparian habitat, in scattered trees, or in small groves in sparsely vegetated flatlands. Nests are usually found near water in the Central Valley, but they can also be found in arid regions. Clutch size is 2–4 eggs, with an incubation period of 25–28 days.

A Swainson's hawk was observed soaring in the biological study area during one biological survey, but no sign of nesting was observed. One potential raptor nest was observed, but no activity was observed. There are several large trees next to some residences that could serve as potential raptor nest sites.

Vernal Pool Fairy Shrimp (Branchinecta lynchi)

The vernal pool fairy shrimp is a federally threatened species and a member of the fairy shrimp family Branchinectidae. The vernal pool fairy shrimp is found in vernal pool habitat ranging from 3-foot-wide depressions in sandstone to small swale, earth slump, or basalt-flow depression basins with grassy-bottom or occasionally muddy-bottom grasslands. The vernal pool fairy shrimp has been observed from December to early May in the Central Valley in California.

Fairy shrimp are translucent, slender crustaceans, generally less than 1 inch long. They swim on their backs by slowly moving their 11 pairs of swimming legs. The fairy shrimp eat algae and plankton by scraping and straining them from surfaces within the vernal pool. Vernal pool fairy shrimp are short-lived and fast reproducers, completing their life cycle in 18 days under optimal conditions to 41 days under less favorable conditions. During the dry season, vernal pool fairy shrimp embryos are contained in a protective impenetrable shell called a cyst. Cysts can remain viable in the soil for 15 years and often longer. Following winter/spring rains and the

inundation of vernal pools, embryos hatch from the cysts and enter the water column to reproduce and complete their life cycle.

A total of seven ephemeral pools were identified, mapped and sampled for vernal pool branchiopods within the biological study area. Versatile fairy shrimp (*Branchinecta lindahli*), a non-protected species, was identified within four of the ephemeral pools. The closest known occurrence of vernal pool fairy shrimp is from 2001, 22 miles east of the biological study area.

Environmental Consequences

San Joaquin kit fox

No impacts to San Joaquin kit foxes are anticipated to occur as a result of the proposed project. However, prior to construction, there is a potential that a kit fox could build a den within the biological study area. If an active den is detected, the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service will be contacted and an Environmentally Sensitive Area around the den site may be established to prevent disturbances. Work may be temporarily suspended if denning kit foxes are found to occur within the biological study area. Potential foraging habitat (i.e., agricultural land) would be removed through new right-of-way acquisition, totaling 10.5 acres (excluding rural residential properties) and approximately 3 acres of right-of-way areas, which consist of graded dirt/gravel areas mixed with weedy plant species. Permanent or temporary impacts to denning habitat are not anticipated.

Swainson's Hawk

One Swainson's hawk was observed in the biological study area during a biological survey. One potential raptor nest was observed, but no activity was observed. There are several large trees next to some residences that could serve as potential raptor nest sites. If construction activities occur during the Swainson's hawk breeding season and an occupied nest is adjacent to the project impact area, noise may directly affect breeding activities, resulting in the potential loss of a nest. However, with the implementation of avoidance and minimization measures, adverse effects to Swainson's hawks are not anticipated to occur as a result of the proposed project.

Vernal Pool Fairy Shrimp

Although the vernal pool fairy shrimp was not found during wet and dry season surveys, low-quality habitat does exist within the biological study area. This habitat consists of drainage ditches and depressions north of State Route 180 where most of

the ephemeral pools occurred. Due to the limited rainfall in 2012-2013, the drainage ditches and depressions adjacent to State Route 180 may not have inundated sufficiently to allow for vernal pool fairy shrimp reproduction. As a result, drainage ditches and depressions north of the highway were delineated and vernal pool fairy shrimp were assumed to occur in these areas, totaling 1.2 acres.

Avoidance, Minimization, and/or Mitigation Measures

Compensatory mitigation is not proposed for the project. Avoidance and minimization measures will reduce the potential for adverse effects to the San Joaquin kit fox, Swainson's hawk, and vernal pool fairy shrimp.

San Joaquin kit fox

Caltrans will implement measures based on the January 2011 "USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance" (Appendix F). Caltrans will conduct a preconstruction survey, as described on page 2 of the Recommendations; set up exclusion zones around any dens that are identified during preconstruction surveys, as described beginning on page 3; and implement the construction and on-going operational requirements described beginning on page 5. Provision 1 listed below is in addition to and provisions 2 and 3 are modifications to existing measures of the Recommendations.

1. A Service-approved biologist(s) will be present onsite during initial ground-disturbing activities, as well as in the event that any potential or known dens are identified in the project area.
2. Potential and atypical dens that are located at least 50 feet from construction will be protected with a 50-foot zone. Known dens that are located at least 100 feet from construction will be protected with a 100-foot zone. In instances where 50-foot or 100-foot exclusion zones cannot be maintained, potential and/or known dens will be monitored; once these dens are verified to be unoccupied, they will be temporarily blocked (via sandbagging or installation of a one-way door) for the duration of the project.
3. All food-related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed daily from the entire project site to reduce the potential for attracting predator species.

Swainson's Hawk

A preconstruction survey for Swainson's hawks will be conducted within a 0.5-mile radius around the biological study area. The survey will be completed according to

the California Department of Fish and Wildlife Swainson's Hawk Nesting Protocol. If an active Swainson's hawk nest is detected, avoidance and minimization efforts will be coordinated with the California Department of Fish and Wildlife and may include a no-work buffer zone around an active nest, and/or a qualified biologist will need to monitor an active nest during construction activities to ensure that no interference with the hawk's breeding activities will occur.

Vernal Pool Fairy Shrimp

No impacts to the vernal pool fairy shrimp are anticipated due to the survey results and low-quality habitat present in the biological study area. Compensatory mitigation is not proposed.

One pool that occurs south of the State Route 180 will be avoided during construction because it occurs outside of the project impact area. Furthermore, the design plans will show this delineated pool with language directing the contractor to avoid this area. If necessary, this area may be designated as an Environmentally Sensitive Area with installation of orange mesh fencing and/or new right-of-way fencing to avoid unplanned, accidental, or construction-related impacts.

In areas where avoidance is not possible, the following minimization measures will be implemented to minimize impacts to this species during construction:

- Staging will be restricted to the existing right-of-way.
- Use of any chemicals, lubricants, and petroleum products will be closely monitored and precautions taken. If any spills occur, cleanup will take place immediately.
- Erosion control treatments (e.g., straw covers/rye seeds) will be applied to permanently affected aquatic habitat north of State Route 180.

Appendix A Farmland Conversion Impact Rating for Corridor Type Projects

U.S. DEPARTMENT OF AGRICULTURE Natural Resources Conservation Service		NRCS-CPA-106 (Rev. 1-91)	
FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS			
PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request 5/6/13	4. Sheet 1 of 1
1. Name of Project Mendota Passing Lanes		5. Federal Agency Involved California Department of Transportation	
2. Type of Project Transportation		6. County and State Fresno, CA	
PART II (To be completed by NRCS)		1. Date Request Received by NRCS 8/2/13	2. Person Completing Form Jose Bermudez
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form.) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated 1,153,812	Average Farm Size 285
5. Major Crop(s) Grapes-Tomatoes-Almonds	6. Farmable Land in Government Jurisdiction Acres: 1,250,984 % 32.7	7. Amount of Farmland As Defined in FPPA Acres: 597,055 % 15.6	
8. Name Of Land Evaluation System Used California--Storie System	9. Name of Local Site Assessment System None	10. Date Land Evaluation Returned by NRCS 8/5/13	
PART III (To be completed by Federal Agency)		Alternative Corridor For Segment	
		Corridor A	Corridor B
A. Total Acres To Be Converted Directly	12.13	12.16	
B. Total Acres To Be Converted Indirectly, Or To Receive Services			
C. Total Acres In Corridor	12.13	12.16	
PART IV (To be completed by NRCS) Land Evaluation Information			
A. Total Acres Prime And Unique Farmland	0	3.9	
B. Total Acres Statewide And Local Important Farmland	7.4	7.56	
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value			
PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)	22	47	
PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points		
1. Area in Nonurban Use	15	15	
2. Perimeter in Nonurban Use	10	10	
3. Percent Of Corridor Being Farmed	20	14	
4. Protection Provided By State And Local Government	20	20	
5. Size of Present Farm Unit Compared To Average	10	3	
6. Creation Of Nonfarmable Farmland	25	0	
7. Availability Of Farm Support Services	5	1	
8. On-Farm Investments	20	8	
9. Effects Of Conversion On Farm Support Services	25	0	
10. Compatibility With Existing Agricultural Use	10	0	
TOTAL CORRIDOR ASSESSMENT POINTS	160	71	73
		0	0
PART VII (To be completed by Federal Agency)			
Relative Value Of Farmland (From Part V)	100	22	47
Total Corridor Assessment (From Part VI above or a local site assessment)	160	71	73
		0	0
TOTAL POINTS (Total of above 2 lines)	260	93	120
		0	0
1. Corridor Selected: B	2. Total Acres of Farmlands to be Converted by Project: 12.6	3. Date Of Selection: 2/7/14	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
5. Reason For Selection: Corridor B is more cost effective and has less overall environmental impacts than Corridor A. Corridor B would widen to the north side of State Route 180 instead of on both sides as proposed with Corridor A, therefore, affecting less parcels and utilities.			
Signature of Person Completing this Part: <i>Jose Bermudez</i>		DATE: 4/15/15	
NOTE: Complete a form for each segment with more than one Alternate Corridor			

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

- (1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?
 - More than 90 percent - 15 points
 - 90 to 20 percent - 14 to 1 point(s)
 - Less than 20 percent - 0 points
- (2) How much of the perimeter of the site borders on land in nonurban use?
 - More than 90 percent - 10 points
 - 90 to 20 percent - 9 to 1 point(s)
 - Less than 20 percent - 0 points
- (3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?
 - More than 90 percent - 20 points
 - 90 to 20 percent - 19 to 1 point(s)
 - Less than 20 percent - 0 points
- (4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?
 - Site is protected - 20 points
 - Site is not protected - 0 points
- (5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?
(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)
 - As large or larger - 10 points
 - Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points
- (6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?
 - Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
 - Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
 - Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points
- (7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?
 - All required services are available - 5 points
 - Some required services are available - 4 to 1 point(s)
 - No required services are available - 0 points
- (8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?
 - High amount of on-farm investment - 20 points
 - Moderate amount of on-farm investment - 19 to 1 point(s)
 - No on-farm investment - 0 points
- (9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?
 - Substantial reduction in demand for support services if the site is converted - 25 points
 - Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
 - No significant reduction in demand for support services if the site is converted - 0 points
- (10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?
 - Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
 - Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
 - Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

Appendix B SHPO Concurrence Letter

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., Governor

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



August 26, 2013

Reply To: FHWA_2013_0802_001

Jeanne Day Binning, Ph.D.
Branch Chief, Central California Cultural Resources Branch
Caltrans District 6
855 M Street, Suite 200
Fresno, CA 93721

Re: Determinations of Eligibility for the Proposed 180 Passing Lanes Project, Fresno County, CA

Dear Dr. Binning:

Thank you for consulting with me about the subject undertaking in accordance with the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*.

Caltrans has determined that the following properties are not eligible for the National Register of Historic Places (NRHP):

- The Castellanos Property, Cabin
- 20173 West Whitesbridge Avenue
- 19844 West Whitesbridge Avenue

Based on review of the submitted documentation, I concur with the foregoing determinations.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff at (916) 445-7014 or email at natalie.lindquist@parks.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Carol Roland-Nawi, Ph.D.".

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer



Appendix C Database Queries

Sacramento Fish & Wildlife Office Species List

Page 1 of 5

U.S. Fish & Wildlife Service Sacramento Fish & Wildlife Office

Federal Endangered and Threatened Species that Occur in
or may be Affected by Projects in the Counties and/or
U.S.G.S. 7 1/2 Minute Quads you requested

Document Number: 150210051853

Current as of: February 10, 2015

Quad Lists

Listed Species

Invertebrates

- Branchinecta lynchi*
vernal pool fairy shrimp (T)
- Desmocerus californicus dimorphus*
valley elderberry longhorn beetle (T)

Fish

- Hypomesus transpacificus*
delta smelt (T)
- Oncorhynchus mykiss*
Central Valley steelhead (T) (NMFS)

Amphibians

- Ambystoma californiense*
California tiger salamander, central population (T)
- Rana draytonii*
California red-legged frog (T)

Reptiles

- Gambelia (=Crotaphytus) sila*
blunt-nosed leopard lizard (E)
- Thamnophis gigas*
giant garter snake (T)

Birds

- Coccyzus americanus occidentalis*
Western yellow-billed cuckoo (T)

Mammals

- Dipodomys nitratooides exilis*
Fresno kangaroo rat (E)
- Vulpes macrotis mutica*

http://www.fws.gov/sacramento/ES_Species/Lists/es_species_lists.cfm

2/10/2015

San Joaquin kit fox (E)

Plants

Cordylanthus palmatus

palmate-bracted bird's-beak (E)

Quads Containing Listed, Proposed or Candidate Species:

KERMAN (359A)

JAMESAN (359B)

GRAVELLY FORD (380C)

BIOLA (380D)

County Lists

No county species lists requested.

Key:

(E) *Endangered* - Listed as being in danger of extinction.

(T) *Threatened* - Listed as likely to become endangered within the foreseeable future.

(P) *Proposed* - Officially proposed in the Federal Register for listing as endangered or threatened.

(NMFS) Species under the Jurisdiction of the National Oceanic & Atmospheric Administration Fisheries Service. Consult with them directly about these species.

Critical Habitat - Area essential to the conservation of a species.

(PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.

(C) *Candidate* - Candidate to become a proposed species.

(V) Vacated by a court order. Not currently in effect. Being reviewed by the Service.

(X) *Critical Habitat* designated for this species

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, **or may be affected by** projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant

http://www.fws.gov/sacramento/ES_Species/Lists/es_species_lists.cfm

2/10/2015

birds on the county list should be considered regardless of whether they appear on a quad list.

Plants

Any plants on your list are ones that have actually been observed in the area covered by the list. Plants may exist in an area without ever having been detected there. You can find out what's in the surrounding quads through the California Native Plant Society's online [Inventory of Rare and Endangered Plants](#).

Surveying

Some of the species on your list may not be affected by your project. A trained biologist and/or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. See our [Protocol](#) and [Recovery Permits](#) pages.

For plant surveys, we recommend using the [Guidelines for Conducting and Reporting Botanical Inventories](#). The results of your surveys should be published in any environmental documents prepared for your project.

Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a formal [consultation](#) with the Service.

During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a biological opinion by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.

- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an

incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as critical habitat. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our [Map Room](#) page.

Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Species of Concern

The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts. [More info](#)

Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of

the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6520.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be May 11, 2015.



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Query Criteria: Quad is (Biola (3612071) or Gravelly Ford (3612072) or Jamesan (3612062) or Kerman (3612061))



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	Endangered	G2G3	S1S2	SSC
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	None	G4	S3	SSC
<i>Atriplex cordulata</i> var. <i>cordulata</i> heartscale	PDCHE040B0	None	None	G3T2	S2	1B.2
<i>Atriplex coronata</i> var. <i>vallicola</i> Lost Hills crownscale	PDCHE04250	None	None	G4T2	S2	1B.2
<i>Atriplex depressa</i> brittlescale	PDCHE042L0	None	None	G2	S2	1B.2
<i>Atriplex minuscule</i> lesser saltscale	PDCHE042M0	None	None	G2	S2	1B.1
<i>Atriplex persistens</i> vernal pool smallscale	PDCHE042P0	None	None	G2	S2	1B.2
<i>Atriplex subtilis</i> subtle orache	PDCHE042T0	None	None	G1	S1	1B.2
<i>Buteo swainsoni</i> Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
<i>Chloropyron palmatum</i> palmate-bracted salty bird's-beak	PDSCR0J0J0	Endangered	Endangered	G1	S1	1B.1
<i>Delphinium recurvatum</i> recurved larkspur	PDRAN0B1J0	None	None	G3	S3	1B.2
<i>Dipodomys nitratoides exilis</i> Fresno kangaroo rat	AMAFD03151	Endangered	Endangered	G3TH	SH	
<i>Eriastrum hooveri</i> Hoover's eriastrum	PDPLM03070	Delisted	None	G3	S3	4.2
<i>Eryngium spinosepalum</i> spiny-sepaled button-celery	PDAP10Z0Y0	None	None	G2	S2	1B.2
<i>Gambelia sila</i> blunt-nosed leopard lizard	ARACF07010	Endangered	Endangered	G1	S1	FP
<i>Masticophis flagellum ruddocki</i> San Joaquin whipsnake	ARADB21021	None	None	G5T2T3	S2?	SSC
<i>Northern Claypan Vernal Pool</i> Northern Claypan Vernal Pool	CTT44120CA	None	None	G1	S1.1	
<i>Sagittaria sanfordii</i> Sanford's arrowhead	PMALI040Q0	None	None	G3	S3	1B.2
<i>Spea hammondi</i> western spadefoot	AAABF02020	None	None	G3	S3	SSC
<i>Valley Sacaton Grassland</i> Valley Sacaton Grassland	CTT42120CA	None	None	G1	S1.1	
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2	S2	

Record Count: 21

Government Version -- Dated February, 3 2015 -- Biogeographic Data Branch
Report Printed on Tuesday, February 10, 2015

Page 2 of 2
Information Expires 8/3/2015

CNPS *California Native Plant Society* Rare and Endangered Plant Inventory

Plant List

14 matches found. [Click on scientific name for details](#)

Search Criteria

Found in 9 Quads around 36120F2

Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
Atriplex cordulata var. cordulata	heartscale	Chenopodiaceae	annual herb	1B.2	S2	G3T2
Atriplex coronata var. vallicola	Lost Hills crownscale	Chenopodiaceae	annual herb	1B.2	S2	G4T2
Atriplex depressa	brittlescale	Chenopodiaceae	annual herb	1B.2	S2	G2
Atriplex minuscula	lesser saltscale	Chenopodiaceae	annual herb	1B.1	S2	G2
Atriplex persistens	vernal pool smallscale	Chenopodiaceae	annual herb	1B.2	S2	G2
Atriplex subtilis	subtle orache	Chenopodiaceae	annual herb	1B.2	S1	G1
Chloropyron palmatum	palmate-bracted bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	1B.1	S1	G1
Delphinium recurvatum	recurved larkspur	Ranunculaceae	perennial herb	1B.2	S3	G3
Eriastrum hooveri	Hoover's eriastrum	Polemoniaceae	annual herb	4.2	S3	G3
Eryngium spinosepalum	spiny-sepaled button-celery	Apiaceae	annual / perennial herb	1B.2	S2	G2
Goodmania luteola	golden goodmania	Polygonaceae	annual herb	4.2	S3	G3
Layia munzii	Munz's tidy-tips	Asteraceae	annual herb	1B.2	S1	G1
Sagittaria sanfordii	Sanford's arrowhead	Alismataceae	perennial rhizomatous herb	1B.2	S3	G3
Trichostema ovatum	San Joaquin bluecurls	Lamiaceae	annual herb	4.2	S4	G4

Suggested Citation

CNPS, Rare Plant Program. 2015. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org> [accessed 10 February 2015].

Search the Inventory

[Simple Search](#)

[Advanced Search](#)

[Glossary](#)

Information

[About the Inventory](#)

[About the Rare Plant Program](#)

[CNPS Home Page](#)

[About CNPS](#)

Contributors

[The Calflora Database](#)

[The California Lichen Society](#)

Appendix D Federal Endangered Species Act Determination

The following species list was obtained from U.S. Fish and Wildlife Service on February 10, 2015, and indicates the effect determination for each species.

Scientific Name	Common Name	Determination
<i>Chloropyron palmatus</i>	Palmate-bracted bird's beak	No effect
<i>Eriastrum hooveri</i>	Hoover's eriastrum	No effect
<i>Branchinecta lynchi</i>	Vernal pool fairy shrimp	May affect, not likely to adversely affect
<i>Desmocerus californicus dimorphus</i>	Valley elderberry longhorn beetle	No effect
<i>Hypomesus transpacificus</i>	Delta smelt	No effect
<i>Oncorhynchus mykiss</i>	Central Valley steelhead	No effect
<i>Ambystoma californiense</i>	California tiger salamander	No effect
<i>Rana draytonii</i>	California red-legged frog	No effect
<i>Gambelia sila</i>	Blunt-nosed leopard lizard	No effect
<i>Thamnophis gigas</i>	Giant garter snake	No effect
<i>Coccyzus americanus</i>	Western yellow-billed cuckoo	No effect
<i>Dipodomys nitratooides exilis</i>	Fresno kangaroo rat	No effect
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	May affect, not likely to adversely affect



Appendix E U.S. Fish and Wildlife Letter of Concurrence



In Reply Refer to:
08ESMF00-
2013-I-0601

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Suite W-2605
Sacramento, California 95825-1846



NOV 6 2014

Mr. Javier Almaguer
Chief, Central Region Biology South Branch
California Department of Transportation, District 6
855 M Street, Suite 200
Fresno, California 93721

Subject: Informal Consultation for the Mendota Passing Lanes Project, Fresno County,
California (California Department of Transportation 06-FRE-180-PM 36.2 - 38.7;
EA 06-46380)

Dear Mr. Almaguer:

This is the U.S. Fish and Wildlife Service's (Service) response to the California Department of Transportation's (Caltrans) request for concurrence on its action to construct the Mendota Passing Lanes Project (project) on State Route 180 in Fresno County, California.

The Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law on July 16, 2012. Caltrans was approved to participate in the MAP-21 Surface Transportation Project Delivery Program through the National Environmental Policy Act (NEPA) assignment Memorandum of Understanding (MOU) between the Federal Highway Administration (FHWA) and Caltrans (effective October 1, 2012), as codified in 23 U.S.C. 327. The MOU allows Caltrans to assume the FHWA's responsibilities under NEPA as well as FHWA's consultation and coordination responsibilities under Federal environmental laws for the majority of transportation projects in California.

Your initial letter requesting formal consultation, dated March 11, 2014, was received in this office on March 14, 2014. In this letter you determined that the proposed project may affect, and is likely to adversely affect the federally-listed as endangered San Joaquin kit fox (*Vulpes macrotis mutica*) and the federally-listed as threatened vernal pool fairy shrimp (*Branchinecta lynchi*). Following further project discussion between Caltrans and the Service, Caltrans modified its determination to conclude, in an email dated August 28, 2014, that the proposed project may affect, but is not likely to adversely affect either of the two species. Caltrans therefore requests concurrence from the Service with its determinations. This document has been prepared in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 *et seq.*) (Act).

The findings and recommendations of this letter are based on: (1) Caltrans' March 11, 2014, letter, and the accompanying February 2014 *Mendota Passing Lanes Biological Assessment* (BA), as prepared by Caltrans; (2) email and telephone correspondence between the Service and Caltrans; and (3) other information available to the Service.

Project Description

Caltrans proposes to construct westbound and eastbound passing lanes along a segment of State Route (SR) 180 located west of the city of Kerman in Fresno County. The lanes will extend from just west of North Yuba Avenue to just east of North Lake Avenue for a length of 2.5 miles (mi) (between postmiles 36.2 and 38.7). Widening will occur on the north side of the highway (westbound direction), approximately 50 feet (ft.) from the existing right-of-way (ROW) boundary. Consequently, new ROW acquisitions from twelve parcels of land located on the north side of the highway will be required; no new ROW acquisitions will be necessary on the south side of SR 180.

Construction activities will involve adding the 12-ft. wide passing lanes, plus a paved median up to 14-ft. wide to accommodate a two-way left-turn lane and 8-ft. wide outside shoulders in both directions. Additionally, left-turn lanes will be constructed where SR 180 intersects with North Yuba Avenue and North Lake Avenue. Drainage culverts (18-inch diameter pipes) will be installed under various driveways located along the length of the north side of the highway. Excavations associated with installation of the culverts and for roadway construction are estimated to reach 5-ft. and 3-ft., respectively. In addition to the drainage culverts, a drainage ditch (swale) will be constructed parallel to the north side of the roadway between North Yuba Avenue and North Lake Avenue in order to contain stormwater runoff. Existing utilities will require relocation.

Construction is anticipated to begin on April 5, 2017 and finish on June 1, 2017. No night work is planned. Staging likely will occur in the areas of new ROW on the north side of SR 180; any designated areas will be pre-approved by a qualified biologist.

The contractor will follow best management practices during construction. Dust control measures will be implemented as part of the project. Any imported fill material will come from an established borrow site; the contractor will be responsible for both selecting and meeting the environmental compliance of a given site prior to the start of construction activities.

No temporary or permanent barriers that could impede wildlife movement will be used for this project. During construction, traffic will be directed via tall delineators placed on the edges of the travel-way.

Avoidance and Minimization Measures

San Joaquin kit fox

Caltrans will implement measures to reduce the potential for adverse effects to the San Joaquin kit fox. The Service's most recent guidelines will be followed; currently, this is the January 2011 *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (Recommendations). Caltrans will conduct a preconstruction survey, as described on page two of the Recommendations; set up exclusion zones around any dens that are identified during preconstruction surveys, as described beginning on page three; and implement the construction and on-going operational requirements described beginning on page five. Provisions #2 and #3 below are modifications to existing measures in the Recommendations. Provision #1 is in addition to the Recommendations:

1. A Service-approved biologist(s) will be present on-site during initial ground-disturbing activities, as well as in the event that any potential or known dens are identified in the project area.

2. Potential and atypical dens that are located at least 50-ft. from construction will be protected with a 50-ft. zone. Known dens that are located at least 100-ft. from construction will be protected with a 100-ft. zone. In instances where 50-ft. or 100-ft. exclusion zones cannot be maintained, potential and/or known dens will be monitored; once these dens are verified to be unoccupied, they will be temporarily blocked (via sandbagging or installation of a one-way door) for the duration of the project.
3. All food-related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed daily from the entire project site in order to reduce the potential for attracting predator species.

Vernal pool fairy shrimp

1. One pool (#7) will be avoided during construction and will be protected by fencing to prevent encroachment by construction vehicles/equipment and personnel.
2. In areas where avoidance is not possible, the following measures will minimize adverse effects to the species:
 - a. Staging will be restricted to the existing ROW.
 - b. Use of any chemicals, lubricants, and petroleum products will be closely monitored and precautions taken. If any spills occur, cleanup will take place immediately.
 - c. Erosion control treatments (e.g. straw covers/rye seeds) will be applied to permanently-affected aquatic habitat located north of SR 180.

Action Area

The action area is defined in 50 CFR § 402.02, as “all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action.” The action area is composed of a 2.5 mi segment of SR 180; portions of agricultural land (orchards, vineyards, rotational crops, and disked fallow fields) within the existing and proposed ROW that will be impacted by construction activities and used for staging and storage; and two ditches within the existing ROW (located along either side of SR 180). The action area also includes land extending approximately 200 ft. from the edge of the proposed ROW which will experience further-reaching effects of construction activities such as noise and visual disturbance.

Effects Analysis

Land at the project site is primarily agricultural (including alfalfa and cotton fields, almond orchards, and vineyards), with some ruderal and dirt/gravel areas along the edge of the highway. Man-made ditches are located on both north and south sides of SR 180 within the existing ROW; these carry road surface and agricultural runoff. No temporary roadway or construction easements are required for the project.

San Joaquin kit fox

According to the California Natural Diversity Database (CNDDB, 2014)¹, there are no records of the San Joaquin kit fox within the action area. No San Joaquin kit foxes or associated sign, such as

¹ California Natural Diversity Database. 2014. Natural Heritage Division, California Department of Fish and Wildlife. RareFind 5. Sacramento, California. Accessed July 28, 2014.

dens, scat, or tracks were observed by Caltrans at the project site on May 9, 2013 and July 19, 2013. But given the presence of small mammal burrows within the ROW and surrounding agricultural land, there may be a suitable prey base for the San Joaquin kit fox and therefore some limited potential for the San Joaquin kit fox to forage in the area. Consequently, it is reasonably likely that the species could move through the project footprint. Conversely, there is unlikely to be potential for the species to den in the footprint given that no potential or known dens were detected, and that habitat quality within the footprint is impaired due to the high levels of disturbance stemming from agricultural activities.

The proposed project will permanently remove 10.5 acres (ac) of low-quality agricultural habitat in order to construct the new passing lanes. Construction of the left-turn lanes at North Yuba Avenue and North Lake Avenue will remove additional areas in the ROW, but because these areas are composed of dirt/gravel and weeds, they are considered to be unsuitable denning or foraging habitat for the San Joaquin kit fox. No temporary effects to habitat have been identified.

Vernal pool fairy shrimp

According to the CNDDDB, there are no records of the vernal pool fairy shrimp within the action area (2014)¹. Caltrans conducted a wet season survey for vernal pool branchiopods between December 14, 2012 and March 21, 2013, and a dry season survey on May 9, 2013. A total of seven ephemeral pools, totaling 0.13 ac, were identified, mapped, and sampled within the action area in accordance with the Service's 1996 *Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods*. No federally-listed fairy shrimp species were identified during these surveys. However, the unlisted versatile fairy shrimp (*Branchinecta lindahli*) was identified within four of these total seven pools (the same three pools were confirmed during both wet and dry season surveys, plus one additional pool during the dry season survey).

Limited rainfall during the 2012-2013 wet season resulted in shorter recorded inundation periods. Even so, according to Caltrans' survey results, five of the total seven pools held water for the time required by the vernal pool fairy shrimp to reach mean maturation age (18 days), and three of the total seven pools successfully held water for the time required by the vernal pool fairy shrimp to reach mean reproductive age (40 days). Because both the versatile fairy shrimp and the vernal pool fairy shrimp are fast-developing, short-lived species and have similar maturation times, the four pools in which the versatile fairy shrimp was identified also would have been suitable for the vernal pool fairy shrimp. Therefore, if the vernal pool fairy shrimp had been present, it is reasonably likely that it would have been identified as co-occurring with the versatile fairy shrimp in at least one of these four pools.

Caltrans' wet season surveys showed pool temperatures increasing over the course of the season; these rising water temperatures would have contributed to faster vernal pool fairy shrimp development and consequently would have increased the likelihood of identifying the species if it had been present. Those same increasing temperatures also would have impeded the hatching of cysts during the latter weeks of the wet season surveys since cooler temperatures are required for hatching. Therefore, it is reasonably likely that vernal pool fairy shrimp cysts would have been discovered during the subsequent dry season survey, particularly since versatile fairy shrimp cysts were found in the same three pools in which they were first identified during the wet season surveys.

There will be permanent effects resulting from construction of the passing lanes and left-turn lanes to approximately 1.2 ac of low-quality aquatic habitat (consisting of the agricultural drainage ditch

and depressions located north of SR 180 where six of the aforementioned ephemeral pools are located), but it is unlikely that the vernal pool fairy shrimp is present here based on the results of Caltrans' 2012-2013 wet and dry season surveys. Of the total seven pools, one (#7), which was identified as containing the versatile fairy shrimp and its cysts, will not be affected by construction since it is located on the south side of SR 180 where widening activities are not proposed. No temporary effects to habitat have been identified.

Determinations

San Joaquin kit fox

Because of the short-term construction schedule; the presence of only low-quality potential foraging habitat; the lack of suitable denning habitat given the degree of disturbance, as well as there being no detections of any potential dens; and the conservation measures proposed to minimize and avoid potential effects to the species, Caltrans concludes that the project may affect, but is unlikely to adversely affect the San Joaquin kit fox and requests concurrence with its determination.

Vernal pool fairy shrimp

Given the lack of any nearby occurrences of the vernal pool fairy shrimp, the results of Caltrans' surveys, and the minimal extent of permanent effects to unoccupied habitat, Caltrans concludes that the project may affect, but is unlikely to adversely affect the vernal pool fairy shrimp and requests concurrence with its determination.

After reviewing Caltrans' letter and BA, and engaging in further correspondence with Caltrans, the Service concurs that it is reasonably likely that effects to individual San Joaquin kit foxes and vernal pool fairy shrimps will be discountable, and that the loss of habitat for each species will be insignificant; the action, therefore, is not likely to adversely affect either species.

Conclusion

This concludes the Service's review of Caltrans' action to construct the Mendota Passing Lanes Project and the Service's consideration of the project's effects on the species. No further coordination with the Service under the Act is necessary at this time. Note that take of listed species is not exempted from the prohibitions described under section 9 of the Act. If conditions change so that the project may adversely affect listed species, initiation of formal consultation, as provided in 50 CFR § 402.14, is required.

If you have questions regarding this project, please contact Jen Schofield at (916) 414-6600.

Sincerely,



Thomas Leeman
Chief, San Joaquin Valley Division

cc:

Craig Bailey, California Department of Fish and Wildlife, Fresno, California



Appendix F USFWS Standardized Recommendations (SJKF)

STANDARD RECOMMENDATIONS

1

U.S. FISH AND WILDLIFE SERVICE STANDARDIZED RECOMMENDATIONS FOR PROTECTION OF THE ENDANGERED SAN JOAQUIN KIT FOX PRIOR TO OR DURING GROUND DISTURBANCE

Prepared by the Sacramento Fish and Wildlife Office
January 2011

INTRODUCTION

The following document includes many of the San Joaquin kit fox (*Vulpes macrotis mutica*) protection measures typically recommended by the U. S. Fish and Wildlife Service (Service), prior to and during ground disturbance activities. **However, incorporating relevant sections of these guidelines into the proposed project is not the only action required under the Endangered Species Act of 1973, as amended (Act) and does not preclude the need for section 7 consultation or a section 10 incidental take permit for the proposed project.** Project applicants should contact the Service in Sacramento to determine the full range of requirements that apply to your project; the address and telephone number are given at the end of this document. Implementation of the measures presented in this document may be necessary to avoid violating the provisions of the Act, including the prohibition against "take" (defined as killing, harming, or harassing a listed species, including actions that damage or destroy its habitat). These protection measures may also be required under the terms of a biological opinion pursuant to section 7 of the Act resulting in incidental take authorization (authorization), or an incidental take permit (permit) pursuant to section 10 of the Act. The specific measures implemented to protect kit fox for any given project shall be determined by the Service based upon the applicant's consultation with the Service.

The purpose of this document is to make information on kit fox protection strategies readily available and to help standardize the methods and definitions currently employed to achieve kit fox protection. The measures outlined in this document are subject to modification or revision at the discretion of the Service.

IS A PERMIT NECESSARY?

Certain acts need a permit from the Service which includes destruction of any known (occupied or unoccupied) or natal/pupping kit fox dens. Determination of the presence or absence of kit foxes and /or their dens should be made during the environmental review process. All surveys and monitoring described in this document must be conducted by a qualified biologist and these activities do not require a permit. A qualified biologist (biologist) means any person who has completed at least four years of university training in wildlife biology or a related science and/or has demonstrated field experience in the identification and life history of the San Joaquin kit fox. In addition, the biologist(s) must be able to identify coyote, red fox,

gray fox, and kit fox tracks, and to have seen a kit fox in the wild, at a zoo, or as a museum mount. Resumes of biologists should be submitted to the Service for review and approval prior to any survey or monitoring work occurring.

SMALL PROJECTS

Small projects are considered to be those projects with small foot prints, of approximately one acre or less, such as an individual in-fill oil well, communication tower, or bridge repairs. These projects must stand alone and not be part of, or in any way connected to larger projects (i.e., bridge repair or improvement to serve a future urban development). The Service recommends that on these small projects, the biologist survey the proposed project boundary and a 200-foot area outside of the project footprint to identify habitat features and utilize this information as guidance to situate the project to minimize or avoid impacts. If habitat features cannot be completely avoided, then surveys should be conducted and the Service should be contacted for technical assistance to determine the extent of possible take.

Preconstruction/preactivity surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity likely to impact the San Joaquin kit fox. Kit foxes change dens four or five times during the summer months, and change natal dens one or two times per month (Morrell 1972). Surveys should identify kit fox habitat features on the project site and evaluate use by kit fox and, if possible, assess the potential impacts to the kit fox by the proposed activity. The status of all dens should be determined and mapped (see Survey Protocol). Written results of preconstruction/preactivity surveys must be received by the Service within five days after survey completion and prior to the start of ground disturbance and/or construction activities.

If a natal/pupping den is discovered within the project area or within 200-feet of the project boundary, the Service shall be immediately notified and under no circumstances should the den be disturbed or destroyed without prior authorization. If the preconstruction/preactivity survey reveals an active natal pupping or new information, the project applicant should contact the Service immediately to obtain the necessary take authorization/permit.

If the take authorization/permit has already been issued, then the biologist may proceed with den destruction within the project boundary, except natal/pupping den which may not be destroyed while occupied. A take authorization/permit is required to destroy these dens even after they are vacated. Protective exclusion zones can be placed around all known and potential dens which occur outside the project footprint (conversely, the project boundary can be demarcated, see den destruction section).

OTHER PROJECTS

It is likely that all other projects occurring within kit fox habitat will require a take authorization/permit from the Service. This determination would be made by the Service during the early evaluation process (see Survey Protocol). These other projects would include, but are not limited to: Linear projects; projects with large footprints such as urban development; and projects which in themselves may be small but have far reaching impacts (i.e., water storage or conveyance facilities that promote urban growth or agriculture, etc.).

The take authorization/permit issued by the Service may incorporate some or all of the protection measures presented in this document. The take authorization/permit may include measures specific to the needs of the project and those requirements supersede any requirements found in this document.

EXCLUSION ZONES

In order to avoid impacts, construction activities must avoid their dens. The configuration of exclusion zones around the kit fox dens should have a radius measured outward from the entrance or cluster of entrances due to the length of dens underground. The following distances are **minimums**, and if they cannot be followed the Service must be contacted. Adult and pup kit foxes are known to sometimes rest and play near the den entrance in the afternoon, but most above-ground activities begin near sunset and continue sporadically throughout the night. Den definitions are attached as Exhibit A.

Potential den**	50 feet
Atypical den**	50 feet
Known den*	100 feet
Natal/pupping den (occupied <u>and</u> unoccupied)	Service must be contacted

***Known den:** To ensure protection, the exclusion zone should be demarcated by fencing that encircles each den at the appropriate distance and does not prevent access to the den by kit foxes. Acceptable fencing includes untreated wood particle-board, silt fencing, orange construction fencing or other fencing as approved by the Service as long as it has openings for kit fox ingress/egress and keeps humans and equipment out. Exclusion zone fencing should be maintained until all construction related or operational disturbances have been terminated. At that time, all fencing shall be removed to avoid attracting subsequent attention to the dens.

****Potential and Atypical dens:** Placement of 4-5 flagged stakes 50 feet from the den entrance(s) will suffice to identify the den location; fencing will not be required, but the exclusion zone must be observed.

Only essential vehicle operation on existing roads and foot traffic should be permitted. Otherwise, all construction, vehicle operation, material storage, or any other type of surface-disturbing activity should be prohibited or greatly restricted within the exclusion zones.

DESTRUCTION OF DENS

Limited destruction of kit fox dens may be allowed, if avoidance is not a reasonable alternative, provided the following procedures are observed. The value to kit foxes of potential, known, and natal/pupping dens differ and therefore, each den type needs a different level of protection.

Destruction of any known or natal/pupping kit fox den requires take authorization/permit from the Service.

Destruction of the den should be accomplished by careful excavation until it is certain that no kit foxes are inside. The den should be fully excavated, filled with dirt and compacted to ensure that kit foxes cannot reenter or use the den during the construction period. If at any point during excavation, a kit fox is discovered inside the den, the excavation activity shall cease immediately and monitoring of the den as described above should be resumed. Destruction of the den may be completed when in the judgment of the biologist, the animal has escaped, without further disturbance, from the partially destroyed den.

Natal/pupping dens: Natal or pupping dens which are occupied will not be destroyed until the pups and adults have vacated and then only after consultation with the Service. Therefore, project activities at some den sites may have to be postponed.

Known Dens: Known dens occurring within the footprint of the activity must be monitored for three days with tracking medium or an infra-red beam camera to determine the current use. If no kit fox activity is observed during this period, the den should be destroyed immediately to preclude subsequent use.

If kit fox activity is observed at the den during this period, the den should be monitored for at least five consecutive days from the time of the observation to allow any resident animal to move to another den during its normal activity. Use of the den can be discouraged during this period by partially plugging its entrances(s) with soil in such a manner that any resident animal can escape easily. Only when the den is determined to be unoccupied may the den be excavated under the direction of the biologist. If the animal is still present after five or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgment of a biologist, it is temporarily vacant, for example during the animal's normal foraging activities.

The Service encourages hand excavation, but realizes that soil conditions may necessitate the use of excavating equipment. However, extreme caution must be exercised.

Potential Dens: If a take authorization/permit has been obtained from the Service, den destruction may proceed without monitoring, unless other restrictions were issued with the take authorization/permit. If no take authorization/permit has been issued, then potential dens should be monitored as if they were known dens. If any den was considered to be a potential den, but is later determined during monitoring or destruction to be currently, or previously used by kit fox (e.g., if kit fox sign is found inside), then all construction activities shall cease and the Service shall be notified immediately.

CONSTRUCTION AND ON-GOING OPERATIONAL REQUIREMENTS

Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.

1. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.
2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.
3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is

discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

4. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
5. No firearms shall be allowed on the project site.
6. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.
7. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.
8. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.
9. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.
10. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be

STANDARD RECOMMENDATIONS

7

re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts.

11. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.
12. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.
13. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
14. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

Any project-related information required by the Service or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at:

Endangered Species Division
2800 Cottage Way, Suite W2605
Sacramento, California 95825-1846
(916) 414-6620 or (916) 414-6600

EXHIBIT "A" - DEFINITIONS

"Take" - Section 9 of the Endangered Species Act of 1973, as amended (Act) prohibits the "take" of any federally listed endangered species by any person (an individual, corporation, partnership, trust, association, etc.) subject to the jurisdiction of the United States. As defined in the Act, take means "... to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct". Thus, not only is a listed animal protected from activities such as hunting, but also from actions that damage or destroy its habitat.

"Dens" - San Joaquin kit fox dens may be located in areas of low, moderate, or steep topography. Den characteristics are listed below, however, the specific characteristics of individual dens may vary and occupied dens may lack some or all of these features. Therefore, caution must be exercised in determining the status of any den. Typical dens may include the following: (1) one or more entrances that are approximately 5 to 8 inches in diameter; (2) dirt berms adjacent to the entrances; (3) kit fox tracks, scat, or prey remains in the vicinity of the den; (4) matted vegetation adjacent to the den entrances; and (5) manmade features such as culverts, pipes, and canal banks.

"Known den" - Any existing natural den or manmade structure that is used or has been used at any time in the past by a San Joaquin kit fox. Evidence of use may include historical records, past or current radiotelemetry or spotlighting data, kit fox sign such as tracks, scat, and/or prey remains, or other reasonable proof that a given den is being or has been used by a kit fox. The Service discourages use of the terms "active" and "inactive" when referring to any kit fox den because a great percentage of occupied dens show no evidence of use, and because kit foxes change dens often, with the result that the status of a given den may change frequently and abruptly.

"Potential Den" - Any subterranean hole within the species' range that has entrances of appropriate dimensions for which available evidence is insufficient to conclude that it is being used or has been used by a kit fox. Potential dens shall include the following: (1) any suitable subterranean hole; or (2) any den or burrow of another species (e.g., coyote, badger, red fox, or ground squirrel) that otherwise has appropriate characteristics for kit fox use.

"Natal or Popping Den" - Any den used by kit foxes to whelp and/or rear their pups. Natal/pupping dens may be larger with more numerous entrances than dens occupied exclusively by adults. These dens typically have more kit fox tracks, scat, and prey remains in the vicinity of the den, and may have a broader apron of matted dirt and/or vegetation at one or more entrances. A natal den, defined as a den in which kit fox pups are actually whelped but not necessarily reared, is a more restrictive version of the pupping den. In practice, however, it is difficult to distinguish between the two, therefore, for purposes of this definition either term applies.

STANDARD RECOMMENDATIONS

9

"Atypical Den" - Any manmade structure which has been or is being occupied by a San Joaquin kit fox. Atypical dens may include pipes, culverts, and diggings beneath concrete slabs and buildings.



Appendix G Comments and Responses

This appendix contains the comments received during the public circulation and comment period for the draft environmental document from February 18, 2014 to March 19, 2014. Caltrans received comment letters from:

- The State Clearinghouse
- The California Department of Conservation
- County of Fresno, Department of Public Works and Planning
- City of Mendota
- Mr. Matt Abercrombie

A Caltrans response follows each comment presented here.

The finding for project-level conformity analysis regarding particulate matter (PM₁₀ and PM_{2.5}) was made available for public comment between February 4, 2015 and March 6, 2015. The project-level conformity analysis showed that the project will conform to the State Implementation Plan, including localized impact analysis with interagency consultation for PM₁₀ and PM_{2.5} required by 40 CFR 93.116 and 93.123. The project is not considered a Project of Air Quality Concern regarding PM₁₀ and PM_{2.5} as defined in 40 CFR 93.126 (b)(1). The project meets Clean Air Act and 40 CFR 93.116 requirements, therefore; a detailed PM₁₀ and PM_{2.5} hot spot analysis was not completed. Caltrans did not receive comments regarding this finding. The air quality conformity determination was made by Federal Highway Administration on April 20, 2015.

In April 2014 Caltrans received phone calls from Mr. Jerry Radinoff and Mr. Matt Abercrombie regarding concerns they and several property owners had regarding impacts of the project on their land and requested that Caltrans hold a meeting with them. On April 17, 2014, the Project Development Team held a focused meeting with property owners to discuss concerns regarding the project. The meeting was held at the Caltrans Manchester office on 2014 East Shields Avenue in Fresno, California. Property owners in attendance included Pat Abercrombie, Matt Abercrombie, John Arvance, and Jerry Radinoff. Caltrans staff that attended the meeting included Neil Bretz (Project Manager), Michelle Ray (Senior Environmental Planner), Som Phongsavanh (Associate Environmental Planner), Richard Kuan (Project Engineer), Irene Lee (Project Engineer), and David Sherman (Senior Right-of-Way Agent).

Owners were concerned about the potential bottleneck effect at Yuba Ave and Lake Ave. Caltrans revised the project design to include left-turn channelization along State Route 180 at the intersections of Yuba Avenue and Lake Avenue to address these potential bottleneck impacts. See Appendix H for preliminary plans showing the current project design.

Comment from the State Clearinghouse.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

March 20, 2014

Michelle Ray
California Department of Transportation, District 6
855 M Street, Suite 200
Fresno, CA 93721

Subject: Mendota Passing Lanes
SCH#: 2014021030

Dear Michelle Ray:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on March 19, 2014, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2014021030
Project Title Mendota Passing Lanes
Lead Agency Caltrans #6

Type MND Mitigated Negative Declaration

Description The project proposes to construct westbound and eastbound passing lanes on SR 180 in Fresno County west of the City of Kerman from Yuba Avenue to Lake Avenue. The project extends 2.2 miles between post mile 36.4 and 38.6. The widening will occur on the north side (westbound), approximately 50 feet from the existing right-of-way line on SR 180 and would require right-of-way acquisition from twelve parcels. Work consists of adding 12-foot passing lanes with a 14-foot soft median to accommodate a two way left-turn lane and 8-foot-wide outside shoulders in both directions. The project also includes drainage improvements.

Lead Agency Contact

Name	Michelle Ray	
Agency	California Department of Transportation, District 6	
Phone	559 445 5286	Fax
email		
Address	855 M Street, Suite 200	
City	Fresno	State CA Zip 93721

Project Location

County	Fresno
City	Kerman
Region	
Lat / Long	36° 44' 4.88" N / 120° 10' 7.37" W
Cross Streets	On SR 180 between Lake Ave and Yuba Ave
Parcel No.	
Township	
Range	
Section	
Base	

Proximity to:

Highways	Hwy 180
Airports	Du Bois Ranch Airport
Railways	SJVR
Waterways	
Schools	
Land Use	AE 20: Exclusive Agriculture

Project Issues Biological Resources

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; Air Resources Board; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Fresno); Native American Heritage Commission

Date Received 02/14/2014 **Start of Review** 02/18/2014 **End of Review** 03/19/2014

Response to Comment from the State Clearinghouse.

No response was necessary.

Comment from the Department of Conservation

NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., GOVERNOR



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

March 17, 2014

VIA EMAIL: michelle.ray@dot.ca.gov

Ms. Michelle Ray, Acting Senior Environmental Planner
California Department of Transportation (Caltrans)
Sierra Pacific Environmental Analysis Branch
855 M Street
Fresno, CA 93721

Dear Ms. Ray:

INITIAL STUDY AND PROPOSED MITIGATED NEGATIVE DECLARATION (MND)
MENDOTA PASSING LANES PROJECT (SCH# 2014021030), FRESNO COUNTY

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Initial Study (IS/Proposed MND) for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation Act and other agricultural land conservation programs. We offer the following comments with regard to the Department of Transportation's (Caltrans) intention to acquire property located in an agricultural preserve for a public improvement in accordance with the provisions of Government Code §§51290 – 51295.

Project Description

The project proposes to construct westbound and eastbound passing lanes on State Route 180 in Fresno County west of the City of Kerman from Yuba Avenue to Lake Avenue. The project extends 2.2 miles between post mile 36.4 and 38.6. The widening will occur on the north side (westbound) approximately 50 feet from the existing right-of-way line on State Route 180 and would require right-of-way acquisition from twelve parcels. Work consists of adding 12-foot passing lanes with a 14-foot soft median to accommodate a two way left-turn land and 8-foot-wide outside shoulders in both directions. The project also includes drainage improvements.

The IS/Proposed MND has determined that the conversion of property designated as AE-20 and located in an agricultural preserve is not a significant impact for this project. However, the Department of Conservation advises that a public agency intending to acquire property located in an agricultural preserve is required to follow the public acquisition process outlined under Government Code sections 51290 – 51295.

The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources.

Public Acquisition Notification Procedure

The Land Conservation Act of 1965 statute specifically states that public agencies shall notify the Director of the Department, **before** making a decision to acquire property located in an agricultural preserve for a public improvement (Government Code (GC) §51291(b)). The notice should include a map of the vicinity, a general description of the property, and a copy of the Land Conservation Act contract, if applicable. The intent of GC §51291(b) is to facilitate the Department's review and enable the acquiring public agency to consider the Department's comment before acquiring land located in an agricultural preserve. To date, the Department has not received the required notice.

1

There are four instances stated in Government Code §51291 requiring a public agency to provide notice to the Department about activities related to the acquisition of property located in an agricultural preserve (a copy of the notice process is enclosed). Notice is required in the following instances:

1. Notice before making a decision to acquire property located in an agricultural preserve;
2. Notice within 10 days when a property is actually acquired;
3. Notice if the public entity proposes any significant changes to the acquisition; and
4. Notice after acquisition if the acquiring public agency decides not to acquire the property for the intended purpose.

2

Required Findings

The Land Conservation Act requires that public agencies shall not locate public improvements in agricultural preserves unless specific findings can be made (Government Code §51292 (a)(b)).

- "The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve (§51292(a))."
- "If the land is agricultural land covered under a contract pursuant to this chapter for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement (§51292(b))."

3

Acquisition and its Effect on Existing Williamson Act Contracts

A Land Conservation Act contract is an enforceable restriction pursuant to Article XIII, §8 of the California Constitution and Government Code §51252. Unless the entities having eminent domain authority intend to exercise the authority to acquire property located in an agricultural preserve, and the seller is contracted to sell under a credible threat of condemnation, the acquisition may not be considered to have been transacted via eminent domain or in lieu of eminent domain. Even though the acquiring agencies are identified as public agencies under GC §51291(a), the contracts will continue to restrict the land to agricultural and compatible uses if acquisition is done in a manner other than eminent domain or in lieu of eminent domain.

Ms. Michelle Ray
March 17, 2014
Page 3 of 3

The Department requests Caltrans to provide the required notice to the Department pursuant to Government Code §51291(b), including explanations and support for making the required findings as stated in Government Code §51292(a) and (b).

Additional information regarding public agency acquisition of property located in an agricultural preserve is available on the Department of Conservation's website at the following link:

http://www.conservation.ca.gov/dlrp/lca/basic_contract_provisions/Pages/public_acquisitions.aspx

We look forward to receiving the notification as required by GC §51291(b)). If you have questions or need further assistance, please contact Jacquelyn Ramsey, Associate Environmental Planner, at (916) 323-2379 or via email at Jacquelyn.Ramsey@conservation.ca.gov.

Sincerely,



Molly A. Penberth, Manager
Division of Land Resource Protection
Conservation Support Unit

Enclosure

cc: Fresno County Board of Supervisors
2281 Tulare Street, #301 Hall of Records
Fresno, CA 93721-2198

Fresno County Farm Bureau
1274 W. Hedges Avenue
Fresno, CA 93728

LAND CONSERVATION (WILLIAMSON) ACT OF 1965 NOTIFICATION PROVISIONS

The following is information about the public acquisition notification procedure for public agency acquisition of land located in an Agricultural Preserve and/or under Land Conservation (Williamson) Act contract:

What is Public Acquisition?

- A public acquisition is the acquisition of land located in an "agricultural preserve" by a "public agency" or "person", acting on behalf of a public agency, (Government Code §51291, subd.(a)) for a "public improvement" as defined by Government Code §51290.5 (which includes interests in real property).

When is Notice Required?

- Public Acquisition Notice is required whenever it appears that land within an agricultural preserve may be required by a public agency, or by a person (acting on behalf of a public agency) for a public use. The public agency or person shall advise the Director of the Department of Conservation (Department) and the local governing body (city/county) responsible for the administration of the agricultural preserve of its intention to consider the location of a public improvement within an agricultural preserve (Government Code §51291(b)), or on property restricted by a Land Conservation Act contract.

What is not Public Acquisition Notice?

- Notice of the intention to acquire a property located in an agricultural preserve must be provided separately from California Environmental Quality Act (CEQA) environmental notice. CEQA Notice does not equal the Public Acquisition Notification procedure stipulated in the Land Conservation Act of 1965 (Government Code §§51290 – 51295).

What are the Legal Requirements for Notice?

- The requirement to notice occurs four times in the Land Conservation Act of 1965 statute.
 1. Notice before making a decision to acquire property located in an agricultural preserve (GC §51290(b));
 2. Notice within 10 days when the property is actually acquired (GC 51291(c));
 3. Notice if the public entity proposes any significant changes to the acquisition, and
 4. Notice after acquisition if the acquiring public agency decides not to acquire the property for the intended purpose (GC 51291(d)).

FIRST NOTICE: A Public Agency must notify (1) the Director of the Department of Conservation, (2) the local jurisdiction (city/county) administering the agricultural preserve, when the public agency has the intention to acquire land in an agricultural preserve or a property restricted by Williamson Act contract for a public purpose (Government Code §51291(b)).

The **First Notice**, must occur ***before*** the public agency makes a decision to acquire a property located in an agricultural preserve (GC §51291(b)). The **First Notice** to be complete and accurate should include the following information:

1. The public agency's explanation of [its] preliminary considerations of the findings of Government Code §51292 (a) and (b)):
 - a. *"The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve (§51292(a))."*
 - b. *"There is no other land within or outside of the preserve on which it is reasonably feasible to locate the public improvement (§51292(b))."*
2. A description of the agricultural preserve land it intends to acquire;
3. A copy of the Land Conservation Act contract on property that pertains to any land subject to the restrictions of such a contract between the local governing body, city or county, responsible for the administration of the agricultural preserve where the property to be acquired is located.

LAND CONSERVATION (WILLIAMSON) ACT OF 1965 NOTIFICATION PROVISIONS

Things to remember:

- The Department of Conservation **must** be notified in advance of any proposed public acquisition and specific findings must be made (see number "1") under the heading **First Notice** above.
- The public agency **must** review the Department's comments and provide any additional information requested by the Department to complete the administrative record before taking action to acquire the property.

Note: The Department will provide a comment in writing advising the public agency whether additional information is required or that the notice is sufficient and the administrative record is complete. In addition, Department staff may telephone or fax to request information to complete the notification process.

- The public agency **must** acquire the property via eminent domain or in lieu of eminent domain in order to make the contract null and void (Government Code §51295).
- The public agency is required to provide evidence that the acquisition actually occurred via eminent domain or in lieu of eminent domain (e.g., documents such as copies of condemnation orders or a copy of the offer letter made to the landowner in lieu of eminent domain).

SECOND NOTICE:

A **Second Notice** is required within 10 working days after acquisition (escrow has closed), (Government Code §51291(c)). The **Second Notice** shall include the following if not previously provided due to some exemption in Government Code §§51290 – 51295 (please state the applicable exemption):

1. The notice shall include a general explanation of the decision and the findings made pursuant to Government Code §51292.
2. A general description, in text or by diagram, of the agricultural preserve land acquired (a vicinity map is good); and
3. A copy of the applicable Land Conservation Act contract(s).

Note: If the information and documents, noted above, were provided to the Department in the original Notification then the **Second Notice** need only list the documents as having been previously provided and reference the date of the public agency's original letter to the Department, unless the Department requests resubmission of the documentation in its comment response letter, or additional information via telephone or fax.

THIRD NOTICE:

A **Third Notice** is required if there is a significant change in the public improvement that the public agency intends to locate on land that is acquired in an agricultural preserve for such a purpose. The public agency must provide **Notice** to the Department and the local jurisdiction (city/county) regarding increases or decreases in the amount of land acquired; **OR**

FOURTH NOTICE

A **Fourth Notice** is required if the public agency does not acquire the land it notified the Department it intended to acquire in the first notice and/or the public agency determines not to use the property it acquired for the purpose identified in the First Notice. The land must be reenrolled under a contract that is as restrictive as the one it was under before the acquisition occurred (Government Code §51295).

All Notices should be sent to:

Mark Nechodom, Director
Department of Conservation
c/o Division of Land Resource Protection
801 K Street, MS 18-01
Sacramento, CA 95814-3528

Response to Comment from the Department of Conservation

Thank you for your comments on the project.

Response to comment 1: This document may serve as the initial notice to the Director of the Department of Conservation of Caltrans's intention to acquire parcels located in an agricultural preserve for a public improvement project. Mapping of the proposed project showing the areas of proposed acquisition of these properties are shown in Appendix H.

Of the twelve parcels proposed for acquisition for the project, five are enrolled in an agricultural preservation program. A total of 10.6 acres are proposed for acquisition from these parcels. The table below contains the total acreage of the parcel and the proposed acreage Caltrans would need, the Land Conservation Act contract number, and a description of the land.

APN	Total acres	Acreage acquiring	Preservation Designation	Description of land (crop type)
020-260-86S	394.3	5.36	Farm Security Zone - 003	Unique farmland: Grape orchard
020-260-85	19.2	.73	Farmland Security Zone - 003	Unique farmland & farmland of statewide importance: Grape and almond orchard, cropland
020-260-79S	2.02	.22	Agricultural Preserve - 3123	Prime & farmland of statewide importance: Cropland (alfalfa)
020-260-80S	2.03	.22	Agricultural Preserve - 3123	Farmland of statewide importance: Cropland (alfalfa)
020-260-87S	276.53	4.07	Agricultural Preserve - 3123	Farmland of statewide importance: Cropland (alfalfa)
Total	694.08	10.6		

Response to comment 2: Any successive notices to the Department of Conservation cannot be made at this phase of the project known as the Project Approval and Environmental Document phase. The current design provides only enough detail to identify environmental impacts, including proposed right-of-way requirements. The next phase of the project, the Project Specifications and Estimates phase, is typically when any acquisition process begins. Refinement of the project design and actual right-of-way needs will be determined during this phase.

Response to comment 3: The improvement is to an existing highway that is surrounded by agricultural land, therefore; it is not feasible to avoid impacting these properties. There is no other land within or outside the agricultural preserve on which it is reasonably feasible to locate the public improvement. The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve.

Comment from the County of Fresno, Department of Public Works and Planning



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

March 17, 2014

State of California
Department of Transportation, District 6
Attention: Michelle Ray
855 M Street, Suite 200
Fresno, CA 93721-2716

Notice of Availability of Draft Initial Study and Mitigated Negative Declaration for the Mendota Passing Lanes Project

Dear Ms. Ray:

The County of Fresno would like to offer comments on the Draft Initial Study and Mitigated Negative Declaration for the Mendota Passing Lanes Project.

The following comments are offered for consideration from our Environmental Health Division:

The Initial Study fails to consider the impacts to existing septic systems and water wells, which may be located within the proposed widening project. This may be of particular concern for those smaller parcels which may have difficulty installing replacement wells or septic systems while meeting the minimum setback requirements as per California Plumbing Code (CPC).

1

The Initial Study also does not address any potential noise impacts created by the widening project.

2

If you have any questions you can email me at bsholars@co.fresno.ca.us or contact me at (559) 600-4207.

Sincerely,

Briza Sholars, Planner
Development Services Division

c: Chris Motta, Principal Planner
Glenn Allen, Environmental Health Department

DEVELOPMENT SERVICES DIVISION

2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4540 / 600-4022 / FAX 600-4200
Equal Employment Opportunity • Affirmative Action • Disabled Employer

Response to Comment from the County of Fresno, Department of Public Works and Planning

Thank you for your comments on the project.

Response to comment 1: Water wells and septic systems on the south side of State Route 180 would not be affected by the project. However, a water well on the north side of the highway at a residential property at 19732 West Whitesbridge Avenue would need to be relocated. The project would be designed to meet the minimum setback requirement of 100 feet, the distance that a well can be from a septic system, as established by the California Plumbing Code after the partial property acquisition. If during final design it is determined that the 100 foot minimum setback requirement cannot be met, Caltrans may propose to acquire the entire parcel.

Response to comment 2: This initial study does not contain a discussion on noise impacts because the Noise Study Report dated September 2012 found that the project would not create substantial or excessive noise impacts to nearby receptors. The finding of “no impact” is shown in the CEQA Environmental Checklist section XII, Noise.

According to the Noise Study Report, existing peak-hour noise levels for sensitive receptors near the highway range from 60 to 67 decibels. Noise is expected to increase by 1-2 decibels by the project design year of 2038 whether or not the project is built.

Five receptors representing single-family residences are expected to experience peak-hour noise levels between 66 and 68 decibels. These noise levels are slightly above or approach the Noise Abatement Criterion level of 67 decibels for residences that would require abatement to be considered. However, since this project is located in a rural setting and homes are scattered, soundwalls would not be feasible because they would interfere with access to property driveways. Any break in the soundwall would reduce the efficiency of the soundwall. Furthermore, in rural areas, homes are scattered, and normally abatement in the form of soundwalls are not reasonable because the construction cost of the soundwall would exceed the allowance per residence.

Construction is anticipated to take 60 to 90 days to complete. During that period, construction activities may cause brief increases in local noise levels. Nighttime construction is not anticipated for most of the duration of project, so there would be minimal impact on local residents' nighttime sleep.

Construction noise is regulated by Caltrans Standard Specifications Section 7-1.01I, "Sound Control Requirements," which states that noise levels generated during construction shall comply with applicable local, state, and federal regulations, and that all equipment shall be fitted with adequate mufflers according to the manufacturers' specifications.

Comment from the City of Mendota



CITY OF MENDOTA

"Cantaloupe Center Of The World"

February 26, 2014

Mr. Neil Bretz, Project Manager
Department of Transportation
District 6
855 M Street, Suite 200
Fresno, CA 93721-5286

Re: SR 180 Passing Lanes

Dear Mr. Bretz:

It is my pleasure as Mayor of the City of Mendota on behalf of the City Council and citizens of Mendota to voice our wholehearted support of the Draft Environmental Document on the proposed eastbound and westbound passing lanes on SR 180 from Yuba Avenue to Lake Avenue in Fresno County.

As the most direct access route to and from Kerman, SR 99 and the eastside cities of Fresno County the construction of passing lanes between Mendota and Kerman will provide our residents with an improvement that gives greater safety along a stretch of road frequented by slow moving vehicles and congestion in the early morning and evening commuting hours. We look forward to the timely construction of these improvements.

Thank you for your acknowledgement of the need for these improvements, securing the funding for these improvements and keeping the project within the established timeline.

Sincerely,

Robert Silva
Mayor

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064

www.ci.mendota.ca.us

Response to Comment from the City of Mendota

Thank you for your comments on the project. Caltrans acknowledges your support of the project.

Comment from Mr. Matt Abercrombie

Phongsavanh, Som@DOT

From: Ray, Michelle@DOT
Sent: Friday, March 14, 2014 12:59 PM
To: Phongsavanh, Som@DOT
Subject: FW: Mendota passing Lane Request for Public Hearing

-----Original Message-----

From: Matt Abercrombie [<mailto:matt.abercrombie@yahoo.com>]
Sent: Friday, March 14, 2014 11:51 AM
To: Ray, Michelle@DOT
Subject: Mendota passing Lane Request for Public Hearing

March 14, 2014

RE: Mendota Passing Lanes

Good morning, I am Matt Abercrombie and I have property along the proposed Mendota Passing Lanes Project West of Kerman. I have some concerns about the impact it will have on my property, such as how close the road will be to my Ag well and how much land I will lose. I am requesting a public hearing to discuss my concerns and those of my neighbors with you.

Matt Abercrombie
16110 W. American Av. Kerman Ca. 93630
559-846-9633 office
559-246-3493 cell
matt.abercrombie@yahoo.com

Response to Comment from Mr. Matt Abercrombie

Thank you for your comment on the project.

Caltrans contacted you regarding your concerns and your request for a public hearing in March 2014. At your acceptance, Caltrans met with you and your neighbors in a focused meeting at our office on April 17, 2014 and addressed your concerns on the proposed project.

During the meeting, Caltrans provided plan mapping overlaid onto aerial mapping that showed design details, including locations where Caltrans is proposing to acquire land. The project manager explained the project's purpose and need. By adding the proposed passing lanes, the project would improve traffic operations and improve safety along that segment of State Route 180. A Right-of-Way agent answered questions regarding Caltrans's process of property acquisition. A concern was brought up about why Caltrans did not widen symmetrically. Caltrans considered this preliminary design, but withdrew it because it involved numerous utilities. Widening to the north of the highway, would impact less parcels, require less utility relocation, and the cost was significantly lower.

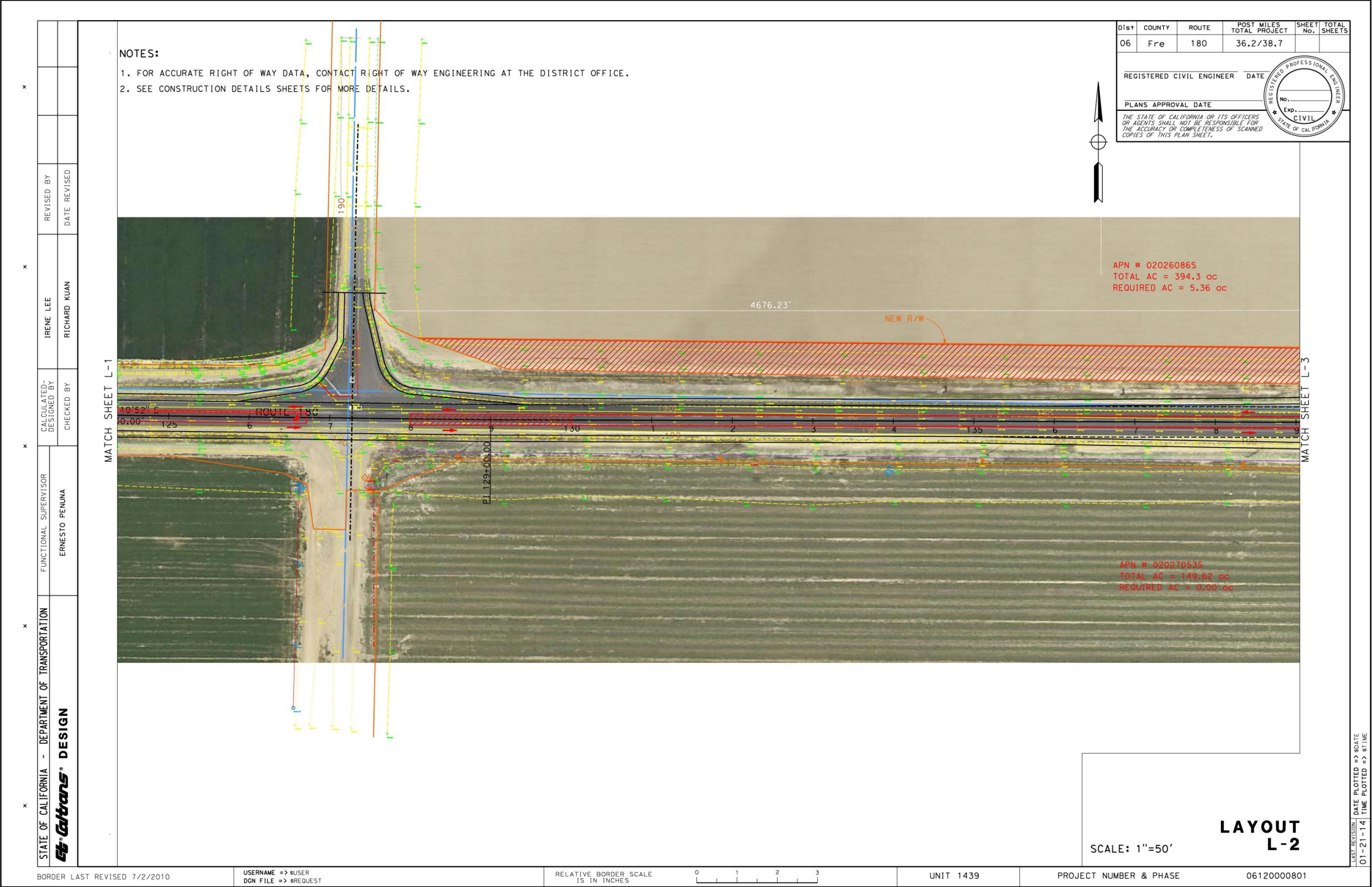
There were also concerns about the potential bottleneck effect at Yuba Avenue and Lake Avenue. Caltrans revised the project design to include left-turn channelization along State Route 180 at the intersections of Yuba Avenue and Lake Avenue to address these potential bottleneck impacts. See Appendix E for preliminary plans showing the current project design.

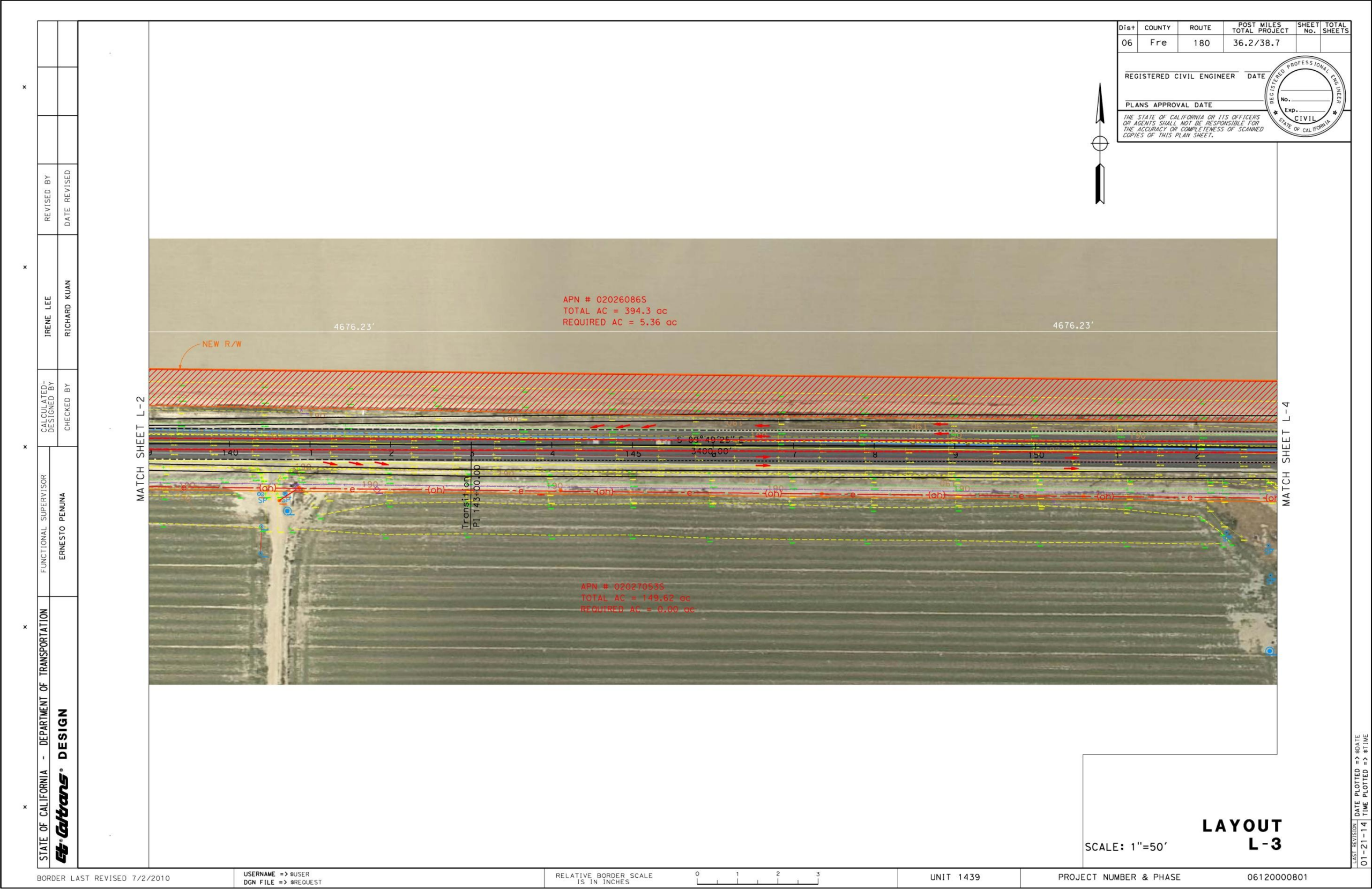
The proposed design would not affect your property because the widening would occur only to the north of State Route 180. Your property is located on the south side of the highway.

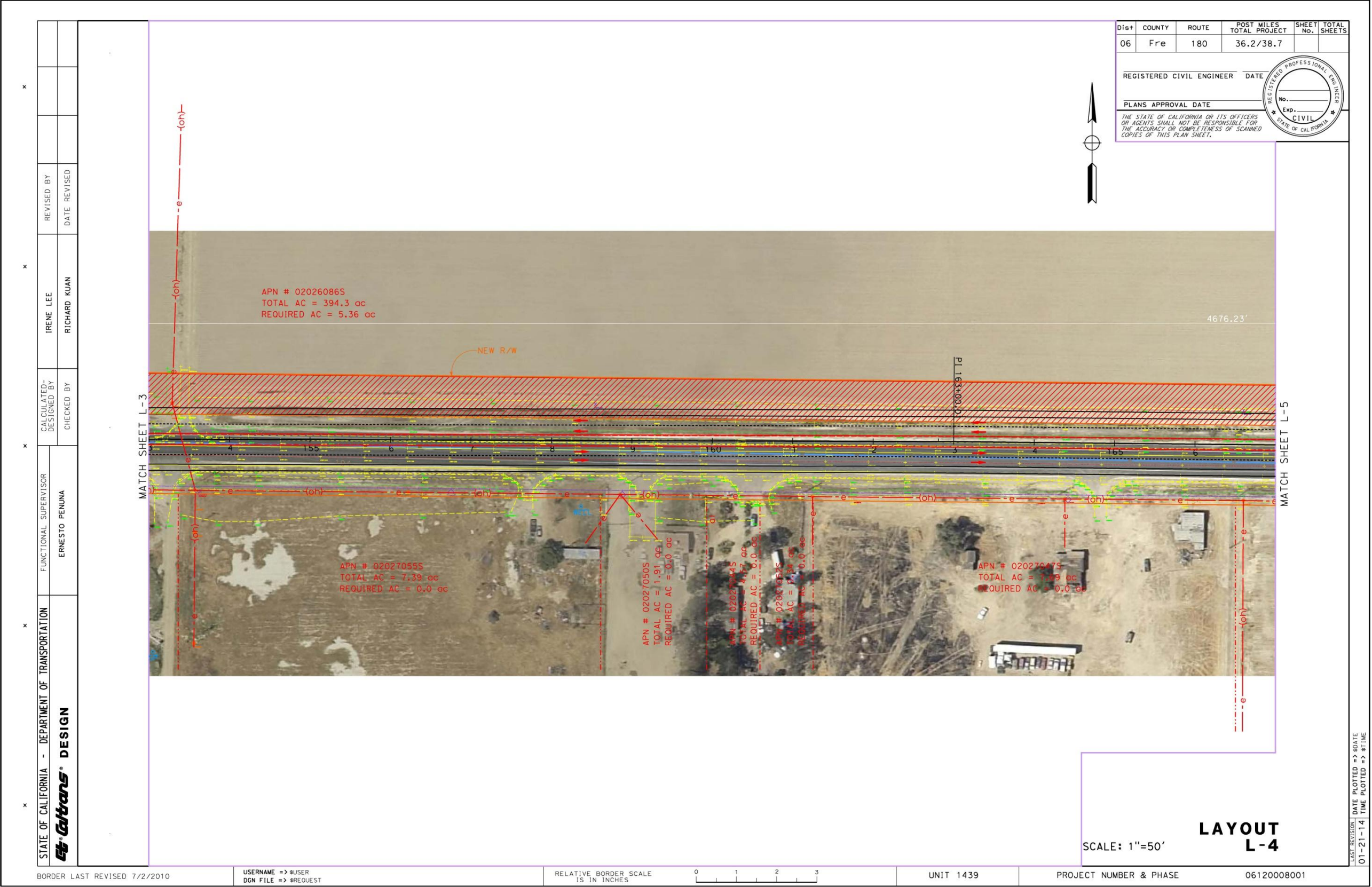


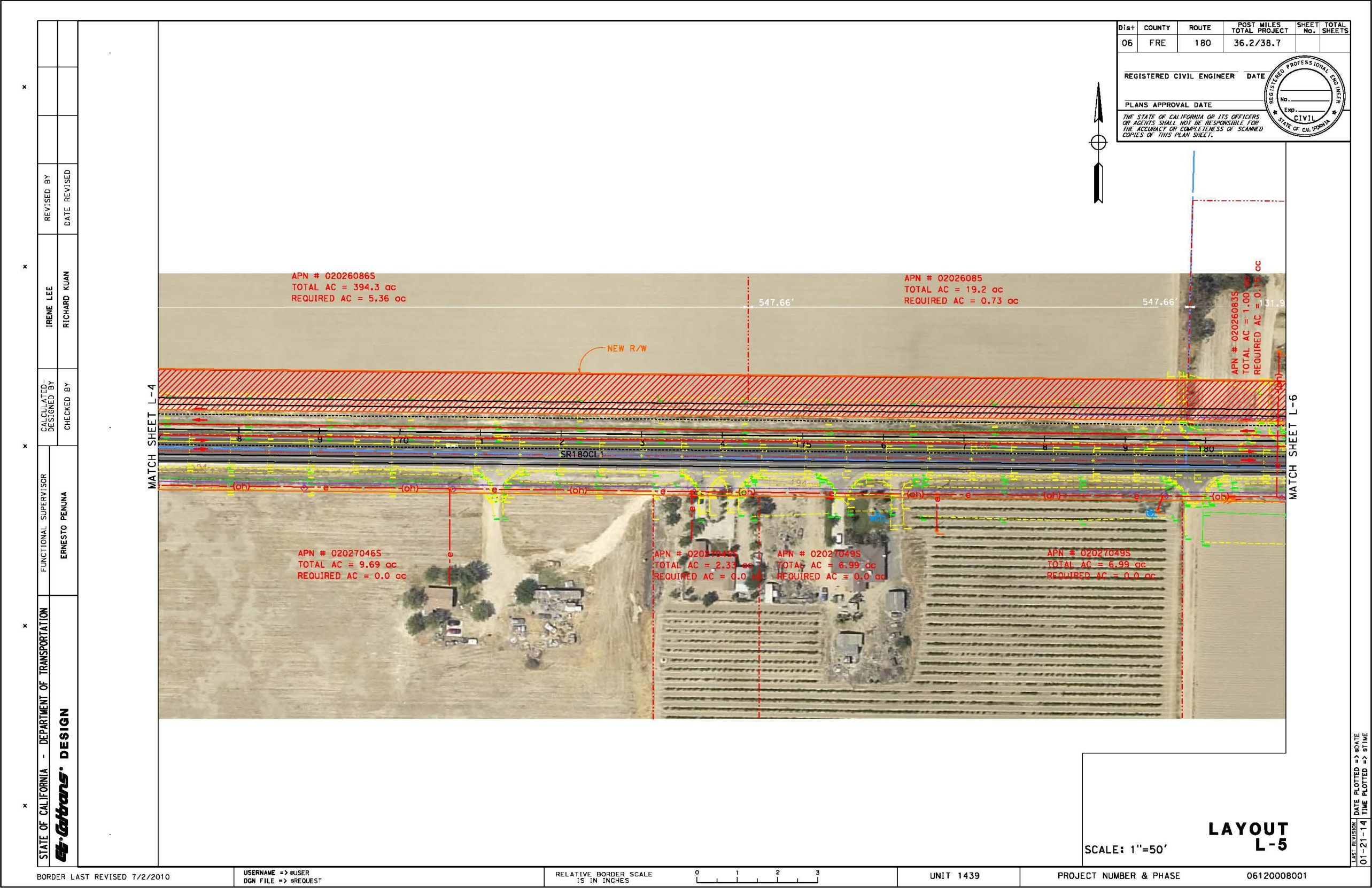
Appendix H Preliminary Project Plans

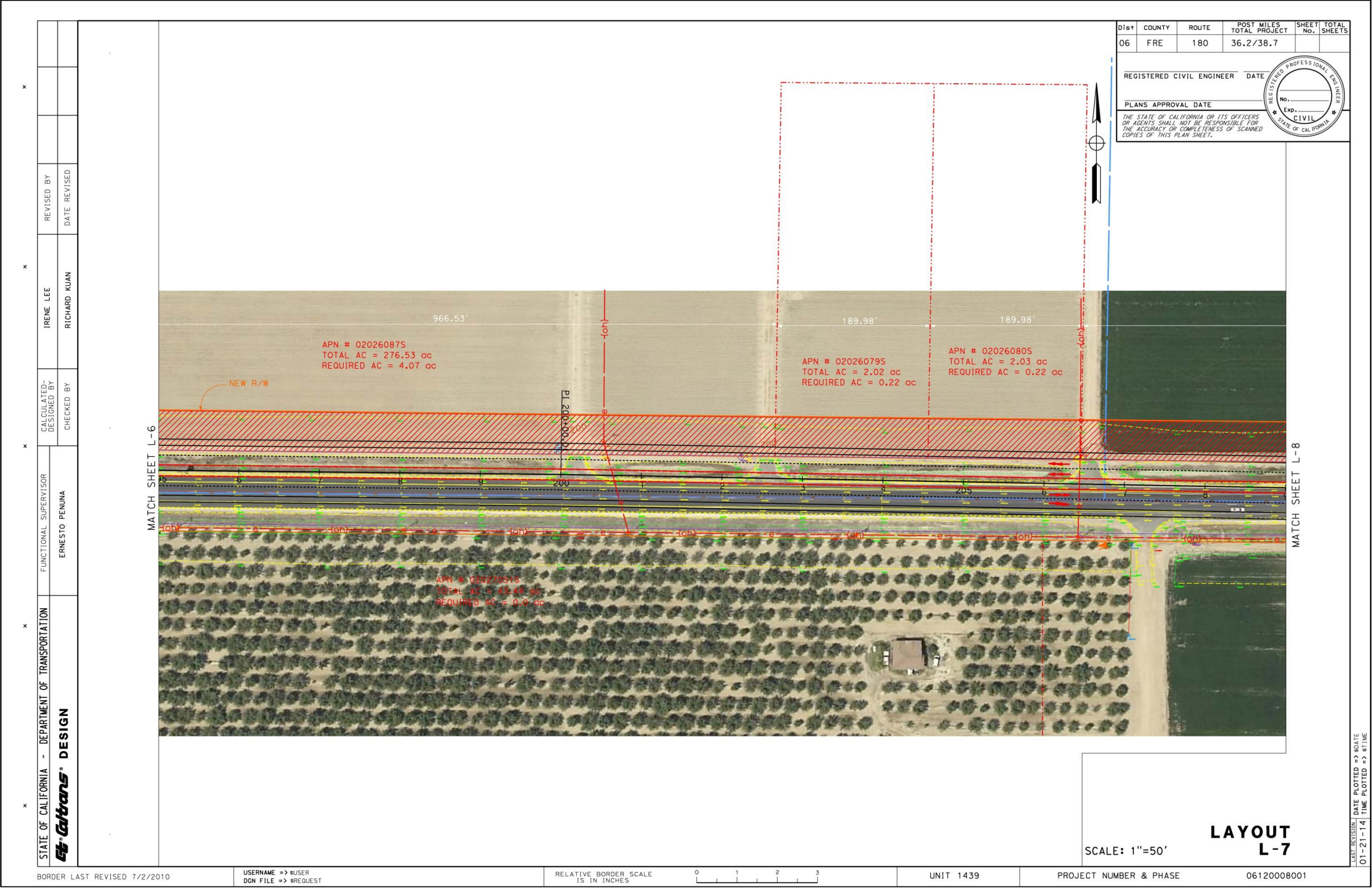
















Appendix I Permits and Approvals

Agency	Permit/Authority	Purpose
U.S. Fish and Wildlife Service	Endangered Species Act, Section 7— Consultation	A Biological Assessment evaluating the project's potential effects to San Joaquin kit fox and vernal pool fairy shrimp was submitted on March 11, 2014, to the U.S. Fish and Wildlife Service to initiate formal consultation. A Letter of Concurrence was received dated November 6, 2014.
Central Valley Regional Water Quality Control Board	Clean Water Act Section 402, National Pollutant Discharge Elimination System: Waste Discharge Permit	The Regional Water Quality Control Board requires compliance with (1) the Statewide National Pollutant Discharge Elimination System Permit (Order No. 99-06-DWQ NPDES No. CAS000003) and (2) the General Permit, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activity (Order No. 99-08-DWQ, NPDES No. CAS000002).
Federal Highway Administration	Air Quality Conformity Determination, 23 USC 327 NEPA Assignment MOU	For 23 USC 327 Categorical Exclusions, coordination with FHWA is needed to obtain the air quality conformity determination. FHWA's air quality conformity determination must be made by FHWA before the 23 USC 327 Categorical Exclusion can be signed and approved by Caltrans.



Technical Studies Bound Separately

- Air Quality Report, January 2014
- Climate Change, January 2014
- Hazardous Waste Evaluation, June 21, 2012
- Historic Property Survey Report, July 2013
- Natural Environment Study, February 2014 (amended March 2015)
- Noise Study Report, September 2012
- Paleontological Identification Report, January 25, 2008
- Relocation Impact Statement, January 25, 2012
- Scenic Resource Evaluation and Visual Impact Assessment, June 11, 2012
- Water Quality Report, May 22, 2013